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THE MADRAS POLICE JOURNAL

The Service Journal of the Madras Police Force

(Issued under the authority of the Inspector-General of Police, Madras)

This quarterly review contains the *best and most reliable* information on police matters. Nearly all its contents are written by serving Police officers.

Contents of the Madras Police Journal include :

Notes on Law with judicial decisions of importance to policemen.

Statistics of Crime in Madras State.

Accounts of serious crime, describing in detail Police procedure and steps taken for detection.

Technical articles for policemen on Criminal Law, Crime Detection, M.O. Frauds, New Apparatus, Photography, Radio, etc.

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NOTICE TO CONTRIBUTORS

Contributions should be typewritten with double spacing and should bear the name and address of the sender on the first page.

They should be addressed to the Editor, The Madras Police Journal, Police Training College, Vellore, North Arcot District.

Suitable articles on any subject of educative value or interest to the Police, or which promote co-operation between the Public and the Police, are acceptable.

Items not accepted for publication will not be returned.

NOTE

The views and opinions expressed in this Journal are solely those of the individual authors and contributors and do not necessarily reflect the views and opinions of the Editor.

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THE MADRAS POLICE JOURNAL

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EDITORIAL

The conference of Police officers held at Ooty this year decided upon a number of measures to improve the day-to-day working of the force and some of these decisions, in our opinion, will result in improved efficiency of the police in this State generally. Measures like the revision of the training syllabus for the recruits, lengthening the duration of training of recruits from six months to nine months, the institution of refresher courses for serving officers, the division of the general constabulary into two categories—one for purely investigation work and the other for other general work including Law and Order—have been proposed and are in different stages of implementation or under active consideration.

The Home Minister of Madras in his opening address to the Ooty conference referred to the special problems of policing in a welfare state and stressed the preventive role of the force in matters concerning crime. He focussed the attention of the conference on the ever-present problems of juvenile delinquency, traffic in women, gaming, cheating and counterfeiting, and he also pointed out the urgent need for effective handling of traffic problems. He referred to the difficulties encountered by the police in the course of their normal work and advised them on how best to steer clear of these difficulties. The Home Minister praised the part played by the police in the execution of schemes in villages under the National Extension Services and adverted to the all round appreciation of the work done last year by the police force of this State at the recent session of the Madras Legislative Assembly. The past year was one in which there was not even one serious Law and Order incident in this State. The Home Minister appreciated this fact and humorously remarked that he felt like presenting a pair of white gloves to the force.

The Home Minister then adverted to the investigation of cases and called for still more quickness and efficiency in this field, and said that it was better to confess to inability if the police could not detect a case than indulge in concoction. His speech highlighted the necessity for putting down corruption in all aspects of public life by resorting to fair, impartial and efficient investigation of reported cases. The Minister stressed the need for the police to be free from political prejudices and indicated the correct approach when well-meaning and other kinds of interference were attempted by outside agencies

to alter the line of investigation. The Home Minister then dealt with organised labour strikes in the State and gave advice as to how best they might be dealt with, and praised the Madras Police for the firm action taken by them last year at the right time and in the right manner to deal with strikes and strikers.

The Home Minister referred appreciatively to the welfare schemes which are being operated in this State for the benefit of Policemen and their families. He also outlined the correct way of man-management and stressed that he constantly expected three things of the police force of our State, *viz.*, Efficiency, Integrity and Loyalty.

The Governor of Madras who inaugurated the conference dealt in his speech with the duties and responsibilities of the police force *vis-a-vis* the public of the State. He said that "The Madras Police have acquitted themselves very well in every field of activity and are noted for their high sense of duty, innate loyalty, strict discipline and good behaviour. It is heartening to note that in the legislative assembly as well as outside, well-merited tributes have been paid to the police administration.....I am quite sure (they) will continue to work with a missionary zeal." The Governor congratulated the force on the high standard of detection (48%) maintained in this State and on the fall in prohibition offences in 1959 from the figures for the previous year, which fall, he said was "mainly due to the increasing momentum in enforcement work." He also referred appreciatively to the great amount of welfare work that is being done in the force for the benefit of the constabulary and their families. His address ended with an advice to the Police of this State to keep abreast of the latest techniques evolved in police methods all over the world.

The Inspector-General of Police thanked the Home Minister and the Governor for their words of advice and good wishes and then presented a review of the progress of implementation of the decisions taken at the previous year's conference of police officers. The review indicated how the decisions had been implemented as well as outlined further action contemplated in regard to each.

The Force's record of welfare work is now impressive and is certainly second to none in India, thanks to the imaginative planning of measures and the energetic drive exercised in the implementation of the measures. As the Inspector-General's address to the officers and men of Madurai Urban, Madurai Rural and Ramanathapuram Districts (published in our previous number) puts it, it is now upto the men themselves and their families to co-operate in this grand endeavour and to avail themselves of the opportunities provided for them by the various schemes organised for their welfare. Considering that cottage industrial units were opened in police lines in our State on an organised basis only three years ago, the achievements of our force in this line of activity so far have been highly praiseworthy. The periodical reviews of the work done in each district are really very interesting reading and the journal offers its congratulations to the organisers of these schemes on their record of service. The journal hopes that the coming years will see still greater achievements in this field.

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CRIMINALISTICS

BY

SRI G. V. NARAYANAN, I.P.S.
(Principal, Police Training College, Vellore)

[Substance of a lecture delivered at the Voorhees College, Vellore, under the auspices of the University Extension Board.]

The title "Criminalistics" given to this lecture may be slightly intriguing as on reference to a standard English dictionary, one will not be able to locate its meaning. The term is adapted from a German word, and it means an integrated study of the subjects of Criminal Law, Criminal Sociology, Criminal Psychiatry, Reformation, Probation and Detection. It involves the various aspects now covered in bits by persons in one or the other of the professions of the Magistracy, the Forensic Medico, the Forensic Scientist, the Social Reformer, the Lawyer and the Policeman. All these realise the connected nature of the subjects mentioned, but do not have the opportunity, because of defects in the existing syllabic in Universities, of studying the entire subject properly. The position is the same in many countries outside India also. But the realisation has slowly but definitely come about in recent years that something worthwhile can be achieved in the fight against crime only if there is a concerted attempt to study these different, but allied, subjects at the University level. The UNESCO report on "The University Teaching of Social Sciences : Criminology," reads that "in most of the countries of the world, public opinion to-day is demanding transformation of the judicial and penal system. The Police, the Bench and Penitentiary Officers everywhere are realising that their methods must be renovated. Yet, when these authorities wish to put their good intentions into practice, in all countries they encounter a great poverty—sometimes even a total lack—of precedents and guiding standards. The most reso-

lute among them, have therefore been led to undertake their difficult task in an empirical manner, and proof accumulates daily that good intentions alone will not advance them much. It is therefore their hope that the Scientific teaching of Criminology will be established, so that their efforts may be guided in the right direction." The Home Secretary of the British Government, speaking before the association of Chief Officers of the British Police in June, 1957, stated, elaborating the same ideas, that "one of our greatest needs now is for systematic research into the problems of crime and the treatment of offenders."

The note of great concern struck by these expressions of opinion deserves to be pondered by every citizen as crime has now become a greater menace to society than at any time before in history. The Federal Bureau of Investigation Law Enforcement Bulletin of 1959, estimates that crime costs every person in the U.S.A. \$ 128 annually. That is, the citizens of the U.S.A. pay a 22-billion-dollar crime bill each year ! Similar are the figures, per capita, in other advanced countries. The proportion of this per capita crime bill to the average earning capacity of the citizen is about the same in our country too. I am sure every citizen will agree that it is indeed a staggering sum that we lose through crime and that it is necessary to seriously consider how best we can close this wasteful drain. The subject cannot be dismissed lightly under the impression that crime affects only those whose houses are actually burgled or those whose personal

safety is affected by the criminals. The problem is not so simple, and indeed there is cause for every member of society to be worried. Crime directly affects every citizen for the following reasons :

(1) It increases the cost of every national project through pilferage and loss, through the supply of non-standard and below-par equipment and material, through cheating at accounts and other forms of corruption.

(2) It increasingly exposes each citizen to personal losses through sources not being detected or punished, and encourages more persons to resort to criminal methods.

(3) It undermines confidence and trust in the established codes of human conduct and paves the way for the formation of an unstable society.

(4) It makes the world a less safe place for the law-abiding and respectable person to live in, as he cannot have the confidence that he and his family will enjoy the benefits of his daily hard work.

A general understanding is therefore necessary on the part of the citizen of what constitutes crime, how the criminal mind is formed and cured, the principles of punishment, the methods of crime detection and, most important of all, how the citizens can help to fight crime. The first and foremost thing however is to get rid of the feeling that criminalistics is a subject in which the professional policeman alone need be interested. It clearly is something in which every honest citizen should display intelligent interest.

During a study of the History of the World from the earliest periods, one comes across principles of the moral law as enunciated in religious works like the Upanishads and the Vedas, the Talmud, the Bible, the Quoran, the Zend Avesta and similar other books, and also across law-givers of the type of Manu, Moses, Solon, Hammurabi, Yagnavalkya and Kautilya. The religious works contain statements of the moral law and the works of the law-givers give definitions of offences and torts

and specific punishments for each. The concepts of the king as the fountain-head of justice and the immunity of the king and his ambassadors from punishment are also found in these early authorities. The community in those days was often a simple unit and the needs of social security were elementary. The laws were likewise simple and justice was ready and often arbitrary. Social concepts developed fast when the nomadic and pastoral people of those ages started settling down in villages and towns and commenced accumulating wealth through trade and other acts of individual enterprise. Down the middle ages and the early modern age, customs and traditions continued to be the guiding features of the common law, with the principles laid down by the ancient law-givers acting as the corner posts of the legal system. It is apparent that right from ancient times there had been a realisation that in addition to a moral law as contained in religious creeds there was need for a practical and enforceable statutory law, prescribing what constituted offences and specifying penalties for each offence.

Though moral law and statute cannot be the same, yet there is need for as much basic commonness as possible between them. Certainly an unmoral law has no right to exist on the statute, as the ethical beliefs of a people play a considerable part in accepting a certain act as a crime and in submitting to punishment for it. But, at the same time, moral law cannot replace statutory law because the former is diffuse and vague and violations are certainly not capable of proof in the ordinary courts of law. God administers those laws in His Divine pleasure and His findings are infallible and require no extraneous evidence to support them. But ordinary common law has no such capable judge to administer it. Thus, while making law, jurists have on the one side to ensure that the general standards of the moral law are always kept in mind, and, on the other, ensure that perfect administration is possible by giving clear and exact definitions of offences and providing for specific punishments, commensurate with the mental make up of the criminal

as well as the seriousness of the offence committed. Two famous cases illustrate the need for the common law to depart from the moral law. One is the case of the poor wretch who was on the point of collapse with hunger, stealing a loaf of stale bread from a shop. The shopkeeper snatched the bread from him and pushed him, and the poor thief collapsed and died opposite to the shop. The other case is *Rex vs. Dudley* which came up before the Queen's Bench in 1884. In this case, two mariners were adrift on a log of wood in mid ocean after their ship had foundered. After days of hunger and thirst, they agreed to kill one of themselves and let the other eat his flesh to save himself. This they did and averted the sure death of both. Some days thereafter, when, again, the other person was nearly dying he was picked up by a ship on the high seas. In these examples the moral law may put the shopkeeper in the wrong and the surviving mariner may get the benefit of compelling necessity as excuse or extenuation. But the statutory law held that the thief and the mariner were guilty. This had to be so, lest there should be numerous such cases. Legal procedure certainly provides for considerations of mercy and humanity as well as concedes generally the right of appeal to the convicted person.

The statutory concept of crime is a fluid one. It is not undue criticism to call it a shifting, imperfect, everchanging concept, varying with time and place. Unlike moral considerations which stand unaltered in every clime and in every age, statutory standards are subject to change and are very much a product of the needs of particular societies at particular times. Even punishment standards vary with time and place. Adequate punishment in one place may not be adequate in another. Sometimes, the severity with which a certain offence is viewed in one country at one period, appears barbarous and cruel. The law against the peddlers of narcotics in the United States of America, as envisaged in the Narcotics Control Act of 1956, includes, for example, the death penalty for peddlers under certain circumstances. This may be considered to be the very

extreme of retributive law. It is definitely without parallel in this country for severity. In the Prohibition Act of our own State, punishments were increased in severity in 1958, as the existing punishments were not found to be deterrent enough. Suffice it for our purpose to say that the ideas of crime and punishment depend very much upon local considerations for the time being, and that what is crime at one place and time need not necessarily be so at another and that even the punishment contemplated need not be the same.

It had been an ancient habit to relate physiology and anthropometrical data to crime. World's literature abounds in references to the belief that criminals are biologically different from normal human beings. Among the first persons to study this subject on a scientific basis, was Broca who established the Anthropological Society of Paris in 1859, and who gave attention to the peculiarities of the skulls and brains of criminals. Dr. G. Wilson of England carried on Broca's Researches further and in 1869. He published a paper on this subject after measuring the heads of 464 criminals. His conclusions were that habitual thieves presented well-marked signs of an insufficient cranial development, especially anteriorly. Among the criminologists of the latter half of the 19th Century, Lombroso held the foremost place. Havelock Ellis considered that he was influenced by the anthropological studies of Broca, and Darwin's *Origin of Species* which furnished him with an "atavistic key". Lombroso's investigations appear to have arisen accidentally from his discovery of anomalies in the skull of a brigand. He studied the skulls of 383 criminals and deduced that certain anomalies were more marked in criminals than in the insane. He considered that a comparison with the skulls of savages and prehistoric man showed the atavistic character of some of the anomalies. In all, Lombroso and other workers in this line of research examined 5,907 criminals and Lombroso's summary of the study was as follows :

"The study of the living, inshort, confirms

although less exactly and less constantly, this frequency of microcephalies, asymmetries, of oblique orbits, of prognathisms, of frontal sinuses developed as the anatomical table has shown us. It shows new analogies between the insane, savages and criminals. The prognathism, the hair abundant, black and frizzled, the sparse beard, the skin very often brown, the oxycephaly, the oblique eyes, the small skull, the developed jaw and zygomas, the retreating forehead, the voluminous ears, the analogy between the two sexes, a greater reach, are new characteristics added to the characteristics observed in the dead which bring the European criminals nearer to the Australian and Mongolian type ; while the strabism, the cranial asymmetries and the serious histological anomalies, the osteomates, the meningetic lesions, hepatic and cardiac, also show us in the criminal a man abnormal before his birth, by arrest of development or by disease acquired from different organs, above all, from the nervous centres as in the insane ; and make him a person who is chronically ill."

Lombroso considered that his anatomical studies enabled him to distinguish the criminal he believed to be born as such from the criminal of habit, passion or occasion whom he believed to be born with very few or no abnormal characteristics. He believed in the identity of the "born criminal" and the "moral imbecile" and demonstrated many similarities between the former and the epileptic in height and weight, the brain and skull, the physiognomy, the flat and prehensile foot, the sensibility, the visual field, motility, tattooing etc. And he found : "Criminality is therefore an atavistic phenomenon which is provoked by morbid causes of which the fundamental manifestation is epilepsy." Lombroso also tried to establish connection between the incidence of crime and geological, meteorological and climatic factors. Two other Italian criminologists, by name Enrico Ferri and Garafalo developed the Lombrosian theory. However, in 1909, long before Lombroso died, the reaction set in, and there developed a school of sociologists who believed

that crime was purely due to economic and social factors and that environments played a far greater part than heredity in the formation of criminal characteristics. They discounted Lombroso's theory of biologically inherited atavistic characteristics. The result of the reactionary trend was that soon people started asserting that criminals were not born, but that they were made by society and that it was society that was to blame if a man turned criminal. However recent advances in human genetics, psychology and pathology have borne out that there was indeed much truth in what Lombroso said, though the reactionary trend placing responsibility on society for the formation of the criminal mind was also found to be true to some extent.

Bertillon, the famous criminologist of France, now remembered very much in connection with the grave miscarriage of justice in the Dreyfus case, but otherwise a highly observant and capable man, put forth the results of his study of Anthropometrical Cephalic Indexes during the end of the last Century. He had started where a Belgian Statistician by name Quetelet left it in 1840 with the doubtful statement that no two human beings in the world were of exactly the same size. Bertillon's system achieved limited success as a means of classification of criminals, but it offered no proof or disproof of the theory of atavistically inherited physiological characteristics. Bertillon's system faded out definitely when the modern system of Finger-prints, devised by an Inspector of Police of the combined Bihar and Bengal Police cadre, and going by the name of the "Henry System" today, was devised for the purpose of classification. As regards relating anthropometrical data to criminal tendencies, the Bertillon system achieved less than little. Nor did it afford any proof of Quetelet's specious claim.

Let us now turn our attention to the mental factors which go to make up a criminal mind. In the child-mind, simultaneously there are two forces at work, one of which can be called the love of animal needs and the other the

mental growth. In a normal child, the mental growth is usually far greater than the love of animal needs, but owing to some defect, sickness or brain fever, though the physical growth may be normal, the mental growth gets retarded. The I.Q. rating of a child is based upon the ratio of the mental growth and the physical growth, per cent. The I.Q. in a child of about 10 to 12 years of age should be normally between 90 and 110, and figures below 90 may be considered to indicate relative low development and smaller figures to indicate still worse forms of feeble-mindedness. Feeble-minded children can be easily exploited for crime by clever and experienced criminals using them as tools. Again, in the mind of the child, there are at the same time two neurotic symptoms in interplay, *viz.*, the one that is termed I.D. or 'instinctual drive' and the second, the "super-ego". In a child of normal growth, the super-ego is usually more powerful and will be able to control the instinctual drive which is directed towards the gratification of animal desires. In the better-developed human beings, the super-ego is developed so fully that it makes for inner discipline. It results in the acceptance of correct codes of social and personal conduct, and it keeps down the animal urges which aim at socially forbidden desires. Where the super-ego is under-developed and the I.D. is over-developed, the person becomes so much subject to animal desires that he will not stop even at crime to seek gratification.

The result of the interplay of the super-ego and the I.D. is always gratification. The gratification is by means of an escape mechanism of substitute satisfactions where the super-ego is really powerful and the desires are for forbidden objects. Where the super-ego is weak, the gratification is attained by going in for the original, even if the original is forbidden by social standards and common law. The escape mechanism sometimes takes very unexpected forms, such as dreams and even physiological reactions, and there are cases of cramps, boils and partial paralysis on record as escapist reactions. Where the super-ego is not able to

control the I.D., the satisfaction of the urge is attained by criminal activity, thus adding one more criminal to the world.

The above analysis, which is no doubt elementary, highlights the need for careful attention on our part to the bringing up of the child mind if we are to effectively rid ourselves of crime. It is a long process, but an effective process. It is certainly more effective than if we were to chase the criminal after his definite formation as a criminal, or punish him for the offences that he committed against society. The mechanism of imprisonment, while temporarily locking up the criminal and stopping him from crime does really nothing to set right his mental make-up. Such setting right could have been done in the earlier stages when his criminal mind was being formed in childhood. In the jail, in the more advanced stage, the criminal gets tossed about in promiscuous company with other criminals of established criminal propensities, and the result is that the man jailed for the first time gets ample scope for learning newer methods for future criminal activity. The same man comes out of jail after serving his term, with better schooling in crime than before, and with never so much as one member of society willing to give him a fresh beginning to lead the life of an honest citizen. Thus he is driven from one crime to another. This is a position which every responsible citizen has to ponder. Jails cannot satisfactorily cure a criminal. It is the citizen's look-out to see in the early stages that children are looked after properly and guided properly and kept above those elementary wants which every child desires, namely, the opportunity for education, both moral and worldly, recreation and food. With this done, the crime bill of the country can be cut in half straightaway. The Boys' Clubs which the police are running in most District headquarters in our State are the result of very sober advice tendered by sociologists who have studied the problem deeply. And more than jails, the Magistrate and the Police, it is these Boys' Clubs which in my opinion, will effectively counteract trends to crime in the country in the future.

You may be aware of the provisions that the law in this country has made for probation. Explained simply, these require that first offenders should not be sent to jail, but should be entrusted to the watchful and benignant care of Special officers of the Probation department who will ensure that they do not revert to crime. Then there are the Junior and Senior approved schools to which vagrant children without means, and delinquent children of certain age-limits, are sent. There are such schools at Ranipet, Chingleput and Tanjore in this State. It is necessary that the value of these institutions is fully realised by the average citizen. These are normal, plain, educational schools with just a little extra of internal discipline, but they are not penitentiaries by any stretch of description. If more citizens take interest in their working and come forth to look after the children on their release from the schools, which, incidentally, can be secured on request by any responsible person who is willing to look after the children, many hundreds of these unfortunate youngsters can be surely reclaimed from crime. Not only will this be an act of moral good, but the citizen will also have helped to forestall crime.

And now let us come to the last part of the subject, namely, the actual process of detection. Let me disabuse the reader of certain wrong notions which are seen to prevail in many quarters. The first of these is that the policeman's method is beating up suspects. Even redoubtable champions of human liberty, and judges who will be the first to convict policemen if they manhandled prisoners, have often requested policemen to give a suspect few blows so that he might "cough up" the stolen property. I may assure you that no policeman who knows his work need ever do this in order to effect detection, or the recovery of property. The present-day methods of the police are scientific, methodical and entirely peaceful. Police science has travelled far, far since this country attained independence. Not certainly at the cost of the law-abiding citizen, anyway, as, still, we do not feel ourselves fulfilled until we have recovered the stolen property and

brought the offender to justice. Only, our methods are different.

There are two corner-stones in the modern, scientific police method. One is called the principle of exchange, and the other is called the method of the *modus operandi*—a method devised by a brilliant Englishman named Atcherley. The principle of exchange, simply stated, is that when two things come into contact with each other, one leaves its imprint or impress on the other. It may be in the form of finger or footprints when a person handles any object or moves about anywhere. It may be tyre marks on the ground, in a case of motor-car accident, or the adherence of hair to a weapon of attack, or the scratch marks made on a bullet by the rifled barrel of a gun that fired it. Marks are left on a window sill by the tool used for a housebreaking. New ink runs into dried-up old ink or into the folds of a piece of paper in a case of overwriting attempted during fabrication of a bogus document or in forgery, and so on. Micro-examination of the contacting and contacted objects will easily reveal in each case whether the impression left is by the suspected object. There is just no escaping this method, and it never lies. Gloved hands may not leave finger-impression, but the glove-marks can be related to the glove, and it is the criminal's problem to prove in court that he did not use the glove of which he had exclusive possession. Modern methods of photography have made micro-comparisons immensely easy! The question is merely whether the policeman is painstaking enough to examine every object at the scene of crime for traces. Once the trace is there, the correlation to the thing that left the trace is as easy as child's play. And that tells you, if you have any burglary anywhere near your place, you will serve very well indeed if you see to it that the visitors to the spot like you do not touch anything at the spot or even walk anywhere in the vicinity. Even the trace of a footprint can be developed, photographed or cast into a mould. A footprint can also be followed up by a police dog and lead to the arrest and conviction of the criminal!

The other method I have mentioned is Atcherley's *modus operandi* system. This system is based upon human psychology and the docketing of the habits and methods of every known criminal under specific heads. There are criminals who make a habit of specified methods. Some believe in making a hole in the wall of a house and some in opening a hole in the roof and yet some others believe in bending window bars as the best practical method of entering a house. Those who believe in finesse prefer to pick a few pockets or indulge in forgery or swindle. The methods are varied. The police records in this State have listed about seventy-five such methods. It is rather surprising that the list is not much longer, and that the scope for methods is strictly finite and, in a mathematician's language, bounded. As to why a criminal should choose one method in preference to another, no one can say definitely. May be it is because of precept. May be it is because of convenience. The method may let a criminal down and get him into jail, but the surprising thing is that less than 1% of the discomfited criminals change their methods. They stick to them such as some students stick to the same optional subjects in their studies even after failing in the same subjects in the previous year ; possibly, a change will be worse for them.

Atcherley's system, as I said, requires classification of criminals under each *modus operandi* noticed in a case where he is found out. In the earlier cases, a criminal's clumsiness lets him down, or an old criminal of the neighbourhood passes on a tip to the police about him through sheer desire to get rid of a competitor in the field. Some such trip-up always occurs for the beginner. And then the criminal's name gets on the records. Once there, the information is never cancelled or scored off except when the criminal does not again get convicted within a period of ten years. The policeman, when he has a case on hand, looks up all the *modus operandi* apparent in the case and lists all the criminals mentioned under each in his records. He adds to this list the details gathered from other records in the

police station which pertain to relatives, associates and previous haunts of the criminals. These lists readily give, village by village in the jurisdiction, who are the criminals who are wont to visit there. The preparation of these lists is a cumbersome and technical matter, but patience and perseverance give very complete lists. With reference to these lists, two things can be done. One is to send constables in mufti to all the places concerned and have secret enquiries instituted as to the movements and conduct of the various criminals on the list. Facts like the sudden growing rich of criminals, their indulging in a spree of expenditure, their clearing debts, their selling stolen articles, and so on are also ascertained during these enquiries. The receivers of the locality are watched, a network of informants is alerted and every resource of the force is diverted to the case on hand. The whole machinery of the District or the Division is geared up, at the start of investigation of each case and in full measure, and results usually do come in, sooner or later ; sooner than later, if the organisation and supervision are perfect.

In investigations we believe that everything possible should be done at the earliest opportunity and that every ounce of energy and resource we command should be keyed up to the occasion right at the start. Lest an inexperienced investigator should slip up either by overlooking possibilities or following only one apparent line of thought without taking into account all possibilities, there are supervisory officers like Circle Inspectors and Deputy Superintendents of Police to keep track of a junior investigator's work so that they may guide the later when it is not too late. It is indeed a remarkable bit of machinery that gears up when even the smallest case is reported. The responsible public do help us in these enquiries and facilitate our locating our man. Members of the Village Vigilance Committees, young men and old with culture and a sense of social justice, and village officials have time and again helped in such enquiries.

There is a method of co-ordinating the Atcherley Method and the Principle of Exchange

at the level of the State Finger-Print Bureau. Madras State probably is the first in the field in the whole of India to fully co-ordinate these two methods at the method is to transmit the Bureau. In brief, our level of the Finger-Print full list of M.O. criminals and kindred M. O. criminals written down by the investigator to the Finger-Print Bureau, together with photographs of scrappy fractions of finger-prints located at the scene of offence. The bureau takes out from its record room the finger-print slips of all the criminals in the list and tries to locate which person's print tallies with the fragmentary prints got from the scene of crime. Looking into a haystack for a needle, this effort often proves to be ! But the Finger-Print Bureau in our State has achieved remarkable success by this method, and succeeded in detecting some spirit-defying cases. There are four other methods devised exclusively in our State Bureau at Vellore—but I do not propose to detail them all here for want of time. Anyway, they are highly technical and this is not the place for them. This claim, however, can truthfully be advanced : Give to the Bureau the finger-print of a criminal and a full list of the M.O. criminals and the Bureau will locate the man.

Behind the problem of developing and interpreting clues left at the scene of crime as a result of the principle of exchange lies a vast and interesting story of laboratory work. The Chemical Examiner to Government, the State Examiner of Questioned Documents, the Footprint and Coins Experts and the Professor of Forensic Medicine, all very highly qualified and eminent scientists, are in charge of the police laboratory at Madras. They offer an answer to various questions posed to them by investigating officers and courts and give conclusive scientific proof for each opinion. The questions shot at them are often very difficult ones, defying normal brains, and their answers demand of them a tremendous standard of technical and scientific knowledge. A bit of fibre or hair will be produced before them and the question asked whether it came from this coat or that or from this body or that. A gun

and bullet will be produced before them and they will be asked whether the one fired the other. A few bones will be shown to them and they will be asked about the age and the sex of the dead person. They have correct and exact answers to all these questions and are rarely beaten in the bargain. Of course, the success here depends, strictly on the ability of the investigating officer to present full data to the expert and to put relevant and pertinent questions. The list of experts available to the Police Officer is not limited to the panel at the State Forensic laboratory but it extends to others also, like the State Sylviculturist, Professors in Colleges etc. I can recollect a murder case which occurred in Coimbatore District in which an agricultural scientist was asked to compare samples of grain—one seized at the place of murder and another seized at the place pointed out by the accused.

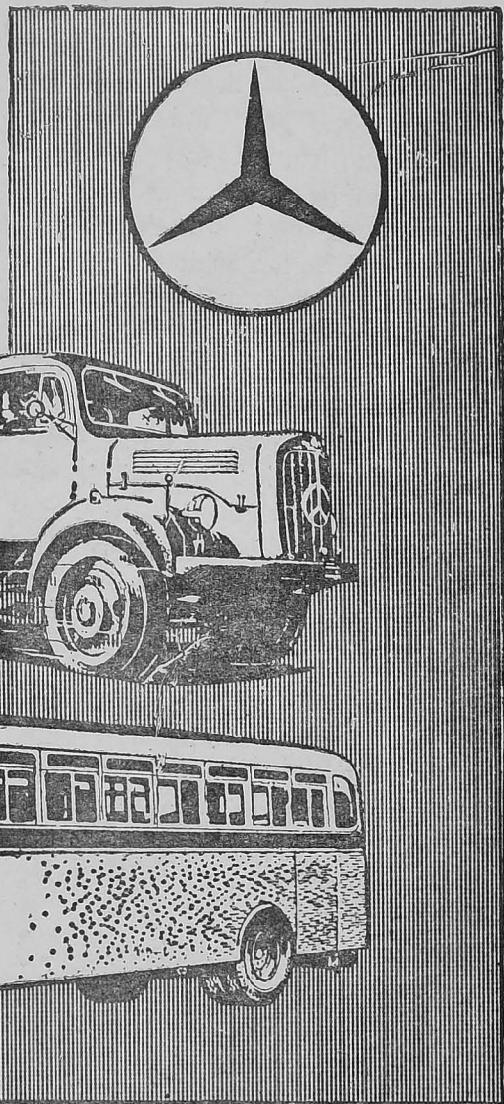
The work in these laboratories is bound to be enthralling and soul-stirring to everyone who has studied some Chemistry, Engineering, Physics or Forensic Medicine. The Police Laboratory job is just the career for every student who loves to follow a profession relating to applied science in life. Each question posed to the laboratory, believe me, is a good enough question for a brains trust !

And now we come to the end of to-day's talk. The professional police career, like a career in the army, has long ceased to be one for the merely strong and healthy individual with an athletic bias. Yes, good health is needed for this career as for any other in life, but health and bodily strength alone are not enough. The career of a policeman to-day is one which demands the highest academical and mental abilities and it stands open to all those who can show these abilities. The University of Madras is shortly starting a diploma course in Criminalistics and we have hopes that it will train men for this career. The diploma course may probably yield place to a degree course in course of time and this will open a new avenue of fascinating brainwork as a career for the men and women of the future.

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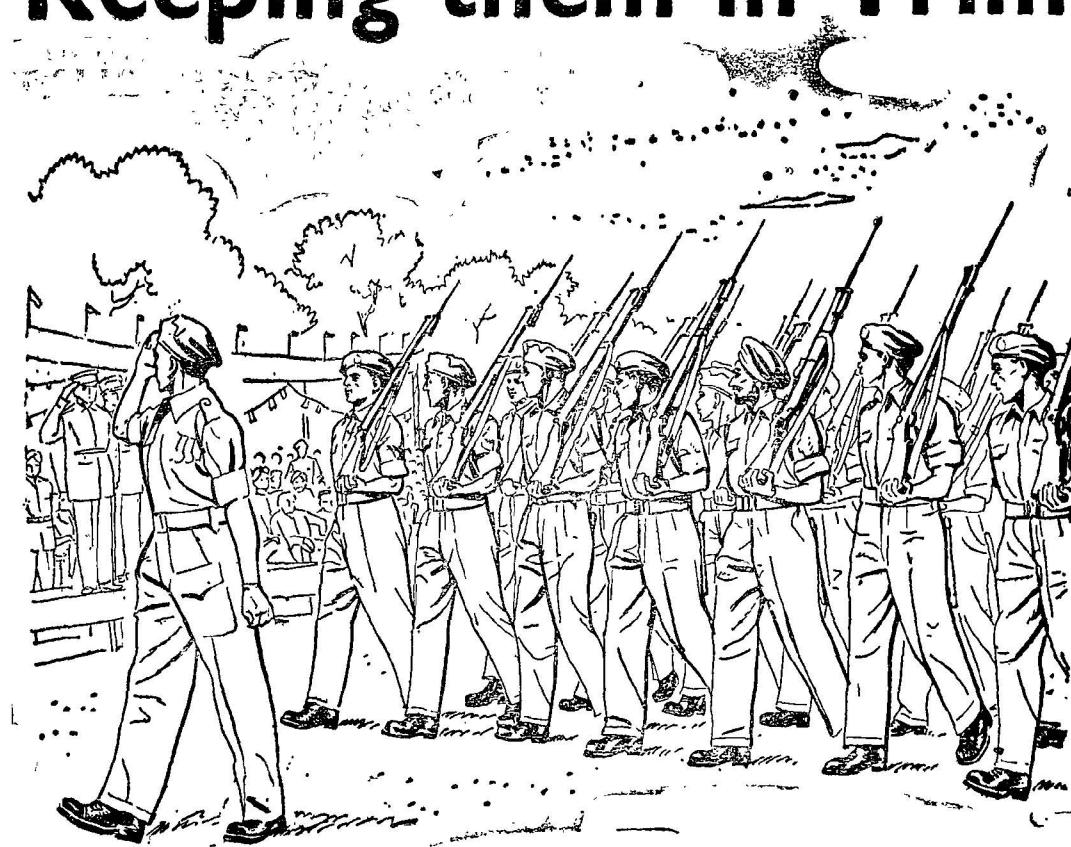
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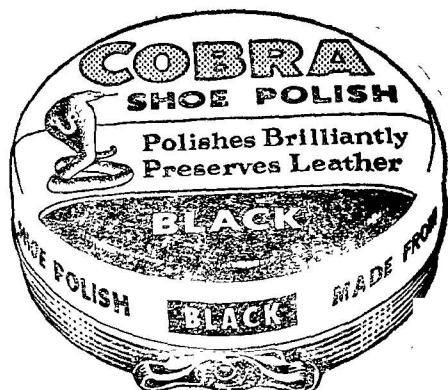
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STATISTICS AND STATISTICS

BY

‘RUSTUM’

[This article is reverentially dedicated to the memory of P.S.O. 253 which is widely believed to be missing from its childhood.]

There come several moments in every policeman's life when he mutters out the question "How to get over this?" One such moment came in the life of Col. R. H. Trever at 3-30 p.m. on the 10th February 1938 as he sat back in his chair after going through the draft administration report for 1937 prepared by his office and put up by his Assistant. Col. Trever had been the police chief of Mandhrala State for over nine years by then and was due to retire in May 1938. Mandhrala was a small state with a population of about 30,000,000, served by a police force about 28,000 strong. By and large the State Police had been doing well year after year and annual reports of their achievements were being recorded by the Government with appreciative comments. The Colonel was keen that the last administration report to be submitted by him should be the best on record and he should retire from service with praises sung all around him. He was therefore considerably distressed, as we said before, at 3-30 p.m. on the 10th February 1938, when he found the draft report for 1937 very dismal reading. It said in unmistakable terms that in 1937 crime had increased considerably, detection had gone down, court pendency had risen, cost of the police force had increased, police firings and lathi charges had increased, complaints of police torture had gone up, sick rate among the constabulary was high, desertions from the force were considerably more than before, a larger number of prisoners had escaped from police custody and the tempo of welfare work among the policemen had suffered a set back. In short, the report made out that the standard of police administration had touched rock bottom and a worse position

could not be imagined. From whichever angle he looked at the draft report the Colonel found the position bleak to the same degree. The following comparative figures challenged him again and again as he turned over the pages.

	1936	1937
1. Cases pending investigation from the previous year	4,000	3,700
2. Cases pending trial from the previous year	1,500	2,400
3. True cases reported during the year	56,000	60,900
4. Total number of true cases investigated during the year (column 1 + column 3)	60,000	64,600
5. No. of cases convicted	27,000	25,600
6. No. of cases acquitted or discharged	5,800	6,700
7. No. of cases compounded or withdrawn	1,200	2,800
8. Percentage of cases convicted to true cases investigated during the year	45%	39.6%
9. No. of cases that remained pending trial at the end of the year	2,400	3,300
10. Percentage of court pendency	6.6%	8.6%

	1936	1937
	Rs.	Rs.
11. Cost of the police force	5,15,00,000	5,30,00,000
12. No. of occasions when police opened fire	3	6
13. No. of occasions when lathi charge was made ...	50	70
14. No. of complaints of police torture.	20	25
15. No. of prisoners who escaped from police custody	27	30
16. No. of admissions into police hospitals	4,500	6,400
17. No. of desertions from the police force ...	7	18
18. Total earnings of the police families Co-operative Society	... Rs. 48,541	Rs. 40,142
19. No. of active members of the Co-operative Society	200	160

The Colonel shifted helplessly in his seat. He had expected his Assistant to do better. But what could the poor Assistant do when the figures were so forcefully arrayed against him? The Colonel shouted out to the orderly to summon the Assistant. After having sent in the administration report file an hour earlier the Assistant had suspended work at his table and was sitting at the edge of his chair expecting the inevitable summons. When the orderly appeared the Assistant jumped out, tip-toed across the intervening verandah and bowed himself into the august presence of his boss. The Assistant was prepared for the worst. The Colonel fixed an ominous stare at him and roared : "Did you check these figures?" There was really no need for this question at that stage because it had by then been put hundreds of times by the Assistant, the Deputy Assistant, the Senior Superintendent, the Junior Superintendent and the Upper Division Clerk in that order to the man next below them and

on each occasion got the same answer, "Yes Sir, They are correct." The Assistant repeated this answer to his boss. "You had better check them again", shouted the Colonel standing up and flung the A.D.R. file at the Assistant. "See that the draft is made presentable by 10 a.m. tomorrow," he added in a grave tone and left the room.

The poor Assistant collected the file and came back to his seat. He was in a fix. Short of manipulating or fudging the figures no other method seemed possible in the circumstances. He had been through several trying situations before but this seemed to beat them all. He had an unblemished record of 15 years of loyal service and was expecting a promotion before the Colonel retired. He now knew that the promotion was as good as lost unless he rehashed the A.D.R. He ground his teeth, swore at the figures before him and sat upright in his chair determined to find a solution before day-break.

In due course the clock struck 9 (p.m.) but still no solution had struck the Assistant's mind. He was still in the process of checking and rechecking the figures. It then suddenly struck him that if statistics were against him he must find a way out only through statistics in *another* form. He recollects that in the recent general elections two major political parties were each interpreting the same election statistics in their own way to their advantage. One got the major number of seats while the other got the major number of votes in all the constituencies put together. It all depended on the way one looked at the figures and returns. The Assistant immediately shouted out to the few clerks that were still lingering on in office by force of habit and working through the night with the different figures furnished by the districts. They brought out statistics by daybreak to conform to certain additional headings listed out by the Assistant. The figures shaped themselves as indicated below :

	1936	1937
1. Cost per cognizable crime investigated	Rs. 858	Rs. 820

2. No. of rounds fired by the police ...	1936	1937
3. No. of persons injured as a result of police firing and lathi charge ...	24	18
4. No. of complaints of police torture against police officers <i>of and above the rank of Head Constable</i> ...	456	280
5. No. of prisoners who escaped from police custody during <i>day time</i> ...	12	1
6. Average duration in days of treatment of in-patients in police hospitals ...	14	Nil
7. No. of probationers who deserted the force ...	10	6
8. No. of members of the Co-operative Society who retired from service during the year	Nil	16
9. Average earnings per member of the Co-operative Society ...	57	50
		Rs. 242-7 Rs. 250-9

A look at the above figures brought back life to the dying Assistant. His face brightened and he stretched his hands with satisfaction and confidence. He knew that he could weave out an entirely different pattern on the fabric of the administration report. The position which seemed hopeless a few minutes earlier had now been definitely retrieved. The Assistant lustily shouted out for his steno and started dictating revised paragraphs for incorporation in the A.D.R. This is how the dictation ran.

"Though crime had increased during the year there was a perceptible decrease in the

cost of investigation per cognizable crime reported to the police. The cost was brought down to Rs. 820 from Rs. 858 of the previous year. The charge on the Exchequer for the quantum of police work done during the year was thus considerably reduced by planned and determined efforts made for that purpose.

Though detection has slightly gone down during the year it is ultimately expected to exceed the percentage of the previous year because a larger number of cases were pending trial at the end of 1937 than in 1936 and a high percentage of them are expected to end in conviction in courts.

The principle of restricting force to the absolute minimum in dealing with riotous mobs was correctly understood and executed in practice by all ranks during the year. The Government were pleased to emphasise this aspect of mob dispersal in their comments on the previous year's report and I am happy to report now that only 18 rounds were fired by the police during 1937 as against 24 of the previous year. The use of the absolute minimum force is further borne out by the substantial decrease in the number of casualties arising from lathi charges and firings. Only 280 were injured as against 456 of the previous year.

On last year's report the Government were pleased to comment on the large number of complaints received alleging torture by the police. Effective supervision by the superior officers and frequent and firm instructions to subordinates in this matter had practically eliminated such unhappy incidents of torture by *investigating* police officers during 1937. While there were as many as 12 such complaints of torture against officers *of and above the rank of Head Constable* in 1936, there was only one complaint of this kind in 1937. The Head constable involved in the complaint was charged in court and was finally acquitted. All other complaints of torture in 1937 were against junior constables and those against whom the complaints were found substantiated were suitably dealt with.

Discipline had considerably improved during the year consequent on drastic punishments promptly awarded to erring and defaulting men. Escapes of prisoners from police custody in broad day light which was a sore feature in the previous year's report were completely absent in 1937. The few escapes that occurred during the year were all during night in circumstances which were difficult and weighed against the police. Even in these instances the escaped prisoners were re-arrested in most cases within a few hours of their escape.

The health of the force was better than in the previous year. Average period of detention in hospital for treatment was only 6 days per patient in 1937 as compared with 10 of the previous year. Apart from the conclusion that sick men in 1937 were less sickly than those in 1936 it can also be stated that the force as a whole had developed a greater capacity for resistance to infection and therefore recovered more quickly even when infected.

The curriculum and syllabus for the training of police constables were thoroughly revised during the year by a committee of senior police officers as approved by the Government in G.O. No. 3841, Home, dated the 1st April 1936. The training was taken out of the rut of the routine of the last 15 years and made more rigorous and exacting in standards both on and off the parade ground. The rigour of the training could be gauged from the fact that as many as 16 recruits deserted the force even during their probationary period in 1937 as compared with 'nil' of the previous year when all the deserters were men of considerable service in the force. It is hoped that the new methods of training introduced in 1937 will weed out unsatisfactory elements at the earliest stage and ensure a high standard of finished trainees for continued service in the force.

The Police Families Co-operative Society rendered one more year of useful service to the members of the force. Though as many as 50 members of the society ceased to be members owing to their retirement from service, 10 new members joined the society to make the

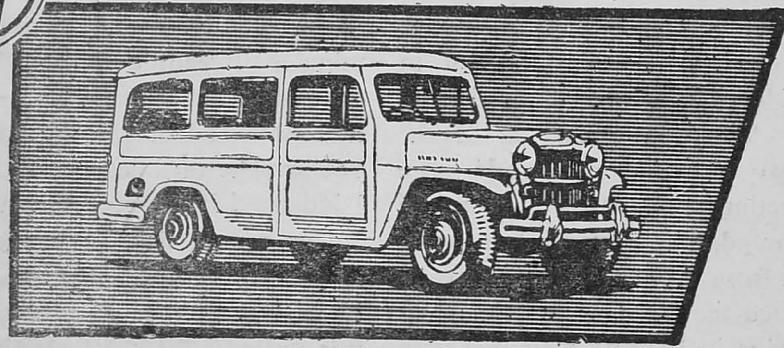
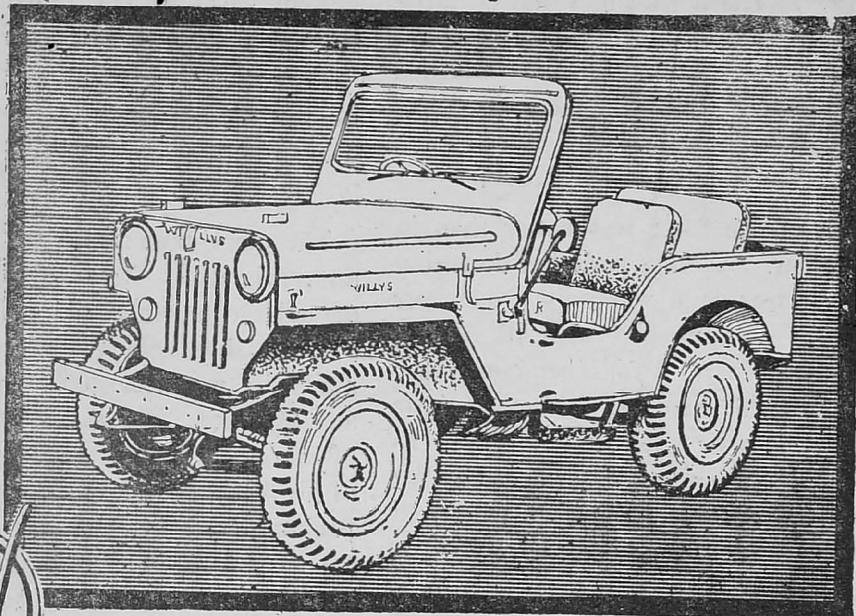
total membership of 160 which is an improvement over 150 to which the strength would have otherwise got reduced by the retirement of 50 members. The business transacted by the society also registered a definite improvement as could be seen from the fact that the average annual earnings per individual member rose from Rs. 242-7 in 1936 to Rs. 250-9 in 1937."

Dictation over, the Assistant leaned back in his chair with considerable satisfaction. The situation had at last been saved. His promotion seemed a certainty now.

The clock then struck 9 once again. It was a.m. this time. The Assistant had just time enough to arrange his dishevelled hair and with a dash of cold water on his face got himself ready to greet the Chief who was expected at 10-00 a.m. The Colonel came at the stroke of the clock and instantly knew from the face of his Assistant that a solution had been found. Beckoning to the Assistant he walked into his room and after settling down comfortably in his chair looked up expectantly at the Assistant. Without a word the Assistant reverentially submitted the revised draft. A few minutes of reading and then the Colonel broke out into an approving smile. "This was exactly what I had in my mind and I am glad you caught the idea correctly yesterday when I indicated it to you. Good work!", he said. "Thank you, Sir," said the Assistant feebly. A few more minutes of reading and the Colonel broke out again into a smile, this time with his lips parted. "I have another idea. I notice that retirements from service totalled only 73 in 1937 as against 141 in 1936. That, surely, is sufficient proof of increased loyalty to service and devotion to duty by the force as a whole. You can add a paragraph on this point also," said the Colonel. "Very well, Sir," said the Assistant and bowed himself out.

The A.D.R. for 1937 went down as one of the best on record. The Government got their statistics, the Colonel got an extension in service and the Assistant got his promotion. The public, of course, got nothing out of it all.

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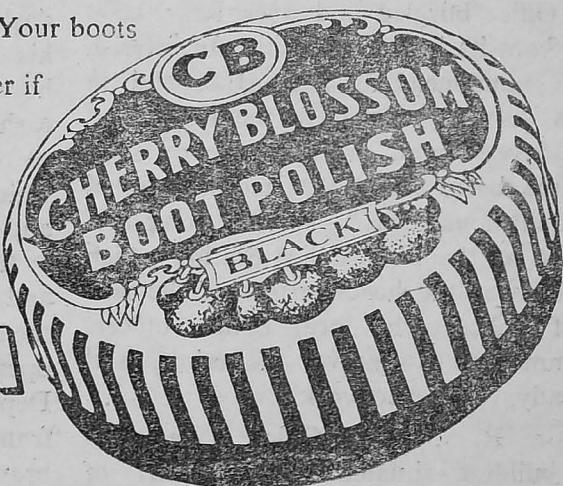
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THE COONOOR POST OFFICE BURGLARY CASE

BY

MUHAMMAD SANAVULLAH FAROOKHI, B.A., I.P.S.,

The picturesque little township of Coonoor nestles high in the hollows of the blue hills of the Nilgiris. The early September skies and the fleecy white clouds scudding amongst the hill tops reflect the peace and contentment of the midget town. The slopes of the hills are damask carpets of emerald grass, interwoven with the radiant hues of Nature's abundant flowers. Here Summer is waning into Autumn and Gold has already tinged the green of the sentinel Blue Gum trees. The breeze is fragrant with the aroma of Eucalyptus. The midget train chugs slowly up the cog-wheeled track to wheeze into the miniature station where busy hands unload the various mails intended for the little post office just above the Railway station which, overnight, was to attain notoriety and cause consternation and anxiety amongst the rate payers of this little township.

Appukuttan, the Postmaster, awoke on the 3rd morning of September, 1959, to find his Post Office burgled and over Rs. 20,000 removed from its iron cash chest. In feverish haste he summoned his lieutenants and in speechless dismay, pointed to the rifled cash chest. In every mind throbbed the question who was the daring culprit that had perpetrated such an audacious crime? A hasty complaint was lodged at the local Police Station which incidentally was the headquarters of the Inspector of Police. The local Police officers were summoned to unravel the crime, and methodically, they set to work.

Coonoor R. S. Post Office is a two-storeyed building situated in the heart of the business area of Coonoor Town. Upstairs of the building lived the Postmaster and his family, and downstairs housed the post office. On the South, adjacent to

this building and separated from it by a common wall, is the State Bank of India. On the North, a flight of cemented stairs lead from the trunk road to the Railway Colony. On the west is the house of the ex-Chairman of Coonoor municipality, Sri Abdul Salam, and on the East is the Municipal Rose Garden called the Samanna Park.

Appukuttan, the Postmaster was a senior hand whose one failing was an infinite trust in his subordinates. He hesitantly informed the police officers that on the 2nd evening he closed the post office as usual at 6 p.m. and was the last to leave the post office. He locked the door opening out to his stairway, on the outside. The next morning he went down to open the post office and on unlocking the door found to his dismay that it was locked from the inside. In a fever of apprehension he put his weight to the door and burst it open, the knob of the latch within breaking off. He dashed into the main hall to find the door of his strong room cage flung wide open. His horrified gaze travelled on to the twin iron cash chests embedded in a three-foot high cement platform only to find the lid of the chest in which the currency was usually kept, open and its contents swept clean. He looked around to find out how the culprit would have entered and found the door on the northern side of the building screened by the sorting box partially opened. This post office is what is termed a Deposit post office wherein the collections from the surrounding sub post offices were brought daily for safe custody and remitted the next afternoon at 1-00 p.m. into the neighbouring State Bank of India. Generally transactions in all the offices were heavy during the first week of each month and as a consequence

the coffers of the Coonoor R.S. post office were full during this period. A check-up of the accounts by the cashier Mr. Gonsalves revealed that there was a sum of Rs. 22,862.

A large portion of this amount was contributed by the busy little Wellington Barracks Post office and Karuppanna Pillai the collection head postman of Coonoor R.S. had brought in the amount and incidentally had assisted the treasurer in counting the currency along with clerks Kalianna and Hariya Gowder before the amount was placed in the cash chest. The Police Officers, L. M. Kitto, Inspector of Police, Leslie Lafrenais, Sub-Inspector of Police, Wellington, and Sri K. Govindarajulu, Sub-Inspector of Police, Coonoor town, examined every detail of the scene of occurrence, and arrived at the conclusion that the crime could only have been committed with inside help. They felt that the fact that the bolts of the side door were drawn from the inside was an important factor. Not a door, not a window had been attempted, and so the only alternative conclusions were that the burglar or burglars had concealed themselves in the post office building prior to the locking up of the office by the postmaster or that they should have used a false key. Of course the possibility of the postmaster himself having committed the crime could not be ruled out. But the *modus operandi* employed suggested the work of an expert professional safe burglar. The hinges of the lid of the safe being sawn through was a rare *modus operandi* but it indicated professional expertness. The public were anxious for results. Police Dog, Yuvaraj, was then brought to Coonoor and made to operate in the area of the hills. The intelligent dog sniffed at the cash chest and without further ado pointed out to the postmaster, Mr. Appukuttan, the treasurer, Mr. Gonsalves, the head postman, and Mr. Karuppanna Pillai, Mr. Kali-muthu and Mr Kariya Gowder, the clerks, as the individuals concerned. But it is to be recollected that everyone of these individuals had handled the currency the previous day before placing it in the cash chest. The dog however could not locate the place where the

money was hidden. And so the local police officers were still left with the task of unravelling the crime. The Inspector was convinced that the clue to the whole case lay within the four walls of the postal buildings, and so he delved into the past history of the employees of the post office who could have any access to the cash chest and in the process he felt that the elegant Mr. Gonsalves was the most likely suspect, for who could have better access to the cash chest than the treasurer himself who had one of the keys of the double locking arrangement of the postal cash chest ! And so a probe was made into the colourful past history of Mr. Gonsalves. He was an Anglo-Indian from Calicut with a pronounced ambition to get rich quick by whatever means that came to hand. Joining the department as a clerk and married to a girl from his own parts he found it irksome to manage on the meagre salary of a lower grade Government servant and so he started a dairy farm as a side-business at Calicut and invested therein his savings as well as the savings of some of his well wishers. Unfortunately his dairy farm was a flop and he had to sell out quickly and take a yellow ticket. An ardent picture-goer that he was, he had a penchant for detective stories, and he idolised the perfect criminal and the perfect crime. And so on he lived, till he came to the Nilgiris with his family of a wife and six children to work as a clerk in the Wellington Barracks Post office. Here he contracted friendship with one Anthony, son of a milkman of Chinnabandisholai, who was destined to play a major part in this latest drama of crime. Gonsalves was a good ball-room dancer and soon he turned his talents to profit by coaching the various officers of the staff college, Wellington, in ball-room dancing and the performance of "Rock'n Roll". In the course of his activities, he befriended a local musician named Derrick Fowls in whom he found kindred spirit for all his activities. Derrick was an athlete of some distinction and an engaging clarinet player but unfortunately an epileptic and of a highly romantic temperament.

Gonsalves was transferred from Wellington Barracks Post office to Coonoor R.S. Post office early in 1959 and he took up his residence with his family at Appleby road, Coonoor. In R.S. post office, he was given the seat of treasurer and entrusted with the custody of the cash flowing into the post office. The daily handling of large amounts in the course of his duties stirred up his dormant ambitions to get rich quick, and his perverted mind hit up on a daring scheme to burgle the post office.

He was aware of the fact that huge sums were deposited in the cash chest of the post office during the first week of every month and so he decided that this period of the month was the most opportune for his plans. To execute his scheme, he conceived the idea of sawing through the hinges of the lid of the iron safe and for this purpose he approached his friend Derrick Fowls for a thin hack-saw giving a pretext that he wanted it for erecting a garden fence, and Derrick Fowls gave him one. He then cogitated as to how best he could gain access to the strong room of the post office and decided on a gradual process of tampering with the hasp of the lock. As treasurer, it was his duty to lock the door of the strong room and hand over the key to the postmaster at the close of the day's work. During the last week of August, 1959, he loosened one end of the loop of the hasp and the next morning at the time of opening he pointed out the defect to the postmaster. On the 29th morning of 1959, under cover of opening the lock, he wrenched off the complete loop from the hasp and carried it to the postmaster. Gonsalves depended rightly on the postmaster's tendency to procrastinate even in serious matters, for the success of his scheme, and as anticipated by him, the postmaster informed him that a new hasp would be put on the room cage door the next day. But the morrow happened to be a Sunday and the postmaster went away to Coimbatore, on a day's casual leave leaving the keys of the post office with Mr. Gonsalves who informed the postmaster the previous evening that he had arrears of work to complete

in the office. And so, on Sunday, the 30th, Mr. Gonsalves knew that he would be alone in the post office, but he needed an accomplice to assist him in the sawing of the hinges of the safe. And so he took his friend Derrick Fowls into his confidence and unfolded the scheme to him. Derrick Fowls enthusiastically agreed to assist him. On Sunday, the 30th, between 3 and 4 p.m., when Gonsalves was alone in the post office, Derrick Fowls called on him. Behind closed doors Gonsalves and Fowls played the hack-saw to good effect and practically completely sawed through the hinges, but left them intact to all outward appearances. Gonsalves decided that the night of the 2nd of September would be the day when the heaviest amount would be in the chest and the most profitable period to clean it out. He instructed Derrick to call at the side door of the post office on the 2nd evening after 7 p.m. and promised him one third of the proceeds of the loot. In the meanwhile, Gonsalves alerted his friend Anthony in Chinnabandhisholai that he would shortly be depositing a large amount with him for safe custody. On the 2nd evening Gonsalves personally placed Rs. 22,862 of post office money in various denominations of currency notes in the already tampered cash chest and after an elaborate show of securing the locks of the cash chests, handed the duplicate key to the postmaster looking on unsuspectingly from his desk in the middle of the main hall. Thereafter Gonsalves loitered in the post office till he and the postmaster were the last to remain in the post office building. At about 6 o'clock, just before locking up time, he bade adieu to the postmaster and made a show of passing out through the side door. But while going past the various counters he ducked into the telephone booth and concealed himself there till the foolish old postmaster locked up the post office and left to catch the bus to Coimbatore at about 6-30 p.m. Gonsalves then came out of his hiding place and, going to the side door, drew the bolts and awaited the arrival of Derrick Fowls. Unfortunately, Derrick the epileptic, had lost his nerve and failed to keep his appointment. So, bolting

the side door again and taking the precaution of bolting the door through which the postmaster had left, he went to the cash chest and completed the operation of sawing through the hinges of the safe with the hack-saw that he had brought with him that morning concealed in a canvas bag that contained his tiffin and towel. Gonsalves completed the sawing of the hinges and lifted the lid of the safe. He then transferred the currency therein to his canvas bag, pocketed his hack-saw, drew the bolts of the side door behind the sorting pigeon-hole case, and after shutting the door quietly, left the premises of the post office. Casually whistling and walking along the highway to Wellington, he went to Chinnabandishclai and handed over the entire currency to Anthony for safe custody. Thereafter, he went to the Garrison talkies at Wellington where he met Derrick and informed him that he had completed the job single-handed and derided his friend for his chicken-heartedness in backing out at the crucial stage.

In fear of apprehension, Derrick demanded the immediate return of his hack-saw. The two then betook themselves to the house of Anthony where Anthony was whistled for and he came out with the bag of stolen currency. The hack-saw was handed over to Derrick along with Rs. 500 in currency. This amount Derrick refused to accept on the ground that he had been promised one third as a share of the loot and he went away. After taking possession of the money himself, Gonsalves gave Rs. 500 to Anthony. Round about midnight of the eventful 2nd September, 1959, Gonsalves and Anthony crammed the currency notes into a tin and buried it in a lantana bush in the field belonging to Anthony's father just above his house, and then they burnt the bag by the side of a vacant bungalow called "Nazareth". But Gonsalves's mind was ill at ease where Derrick was concerned and he feared that he would turn a stool pigeon. And so taking Rs. 500 in five-rupee notes he went to the house of Derrick Fowls, threw the bundle through his bedroom window, and told him to keep his mouth shut.

Gonsalves sat back and awaited developments. He was a keen reader of detective novels and wanted to commit the perfect crime. He knew that to stay away from work at this period would attract suspicion towards him and so he was more than punctual at his duties. He also presumed that the police dogs would be brought in and so he was careful to have perfume sprayed over him each morning when he went for work after the crime. But history had proved that the perfect crime has yet to be achieved and history repeated itself : Derrick Fowls was the historian. He felt that distance from his native haunts would place him in a more secure position and so he left Coonoor for Madras, ostensibly to purchase paints and with his departure the patient police officers got their first clue. At the Railway Station, Derrick met Barnes, a friend of his, and told him that he was going to Madras with Rs. 500 lent to him by Mr. Gonsalves to purchase paints and Barnes was a friend of the Inspector of Police. Gonsalves was arrested on the night of 5th of September, 1959 at his residence and was confronted with the statement of Fowls to Barnes. Gonsalves broke down and made a clean breast of his crime. And, along with Anthony, he pointed out the biscuit tin the contents of which were counted and found to contain Rs. 20,070. Anthony surrendered Rs. 331 and Derrick Fowls, on his return from Madras, surrendered Rs. 500. A local marvadi produced Rs. 300 paid to him by Gonsalves on the day after the occurrence. The remaining Rs. 2,000 of the lot was never recovered. Perhaps Gonsalves felt that he would be in need of money for his trial and had it secreted. Derrick Fowls turned approver and was granted a pardon and he stood firm to the last on the side of the prosecution. Gonsalves and Anthony hired the best lawyers to defend them, but Gonsalves went for 9 months' rigorous imprisonment and Anthony went for six.

The sleepy little township of Coonoor sat back and sighed in contentment. Justice had been rendered and the criminals who had perpetrated a daring crime had been punished.

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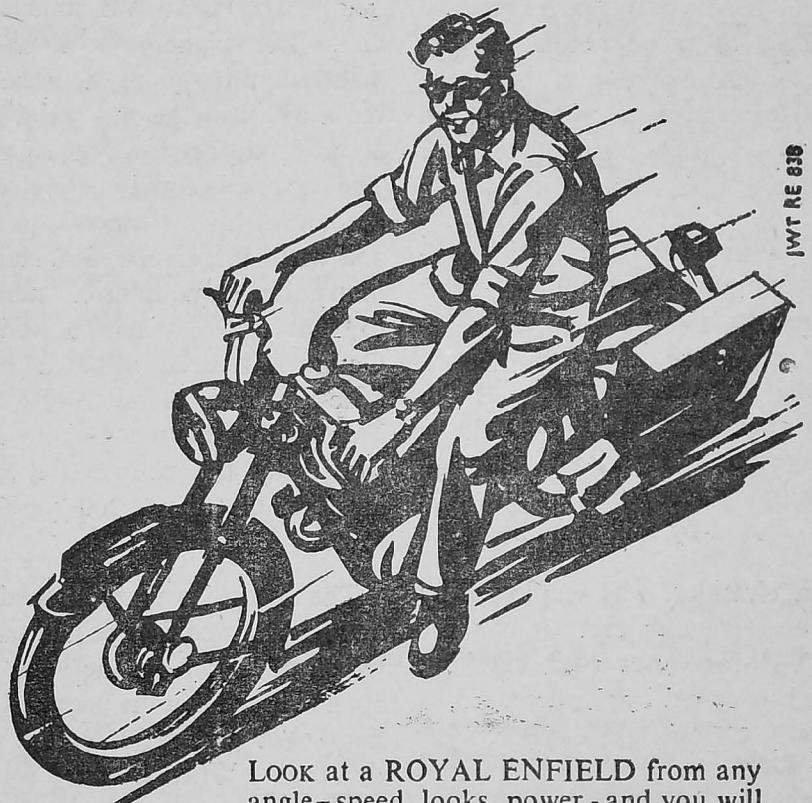


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PERIAKKAL MURDER CASE

BY

C. K. N. PANIKKER, I.P.S., *Asst. Inspector-General of Police, Trivandrum*

This refers to a case of gruesome murder which took place at Kuniamuthur on 27-1-1953 night. I was then the Deputy Superintendent of Police in charge of the Coimbatore City Sub-Division. The investigation of this case and the successful prosecution were only on circumstantial evidence. The facts of the case are briefly as under.

Periakkal was a miserly old widow aged about 70 years living alone in a hut at Kuniamuthur. She used to lend money on interest and take jewels on pledge. The rumour in the village was that she was substantially rich, had hard cash with her and also some jewels which she had taken on pledge. The deceased was however leading a very miserly life and eking out her livelihood by selling milk.

One Maran, a chuckler, was employed by her as a part-time servant to bring fodder for her milch cow. He was not paid anything regularly but used to be fed by the deceased.

On 27-1-1953 night the deceased visited her neighbour Sellakkal and after a chat returned to her house and had her food. She slept on the verandah of the house as usual after locking the front door. The next morning when Marakkal, another neighbour, went to the house of the deceased to purchase milk, she found that the deceased was still lying on the cot contrary to her usual practice. Marakkal became suspicious and approached the place, and in the light of the lantern she was carrying she found the deceased lying in a pool of blood. Blood was oozing out from an injury on her head and a wooden stick used as side peg for a bullock cart was also found near. The house was found open. On the alarm raised by Marakkal neighbours collected.

The accused did not turn up in the morning for work as usual and as he was a stranger to that locality there was some suspicion against him. The neighbours who had collected there made enquiries about the accused and they met the accused at the bus stand of Kuniamuthur about 4 furlongs from the scene of the murder. The accused could not give a satisfactory account of his movements on the night of 27th and when Palaniappa Goundan and others put him pointed questions he tucked up his cloth to run away. When he did so, Palaniappa Goundan noticed a patch of blood on his knee-cap and blood marks on his dhoti. Though the accused took to his heels he was chased by the people and caught near the local temple about 200 yards from the bus stand.

The accused was questioned by the villagers and he admitted that he had tried to remove the bunch of keys from the waist of the deceased. He had heard that the deceased was having some hard cash and his intention was only to get this cash. When he tried to remove the key, the deceased got up and to silence her he hit her on the head. He pressed his right knee on the chest of the deceased and removed the key. He made a hurried search for the cash but could not get it. He stated that he removed a few measures of "chamai" grain and that he had concealed this chamai under a culvert near the tank bund on the way to Kolathupalayam village, tied up in a cloth bag.

I received the information about this murder at about 11 a.m. on 28-1-1953 when I was inspecting Podanur Station. I immediately proceeded to the scene and took up the investigation. The cloth bundle containing chamai was recovered from under the culvert as pointed

out by the accused. A thorough search of the house of the deceased resulted in the recovery of a cloth bag containing cash of Rs. 283 and a few items of jewels. A mud pot containing chamai was found in the house.

Though the accused had admitted his guilt to the villagers and to me, he did not stick up to the confession when produced before the Magistrate and put up the usual plea that the case had been concocted by Palaniappa Goundan and others due to enmity.

The only evidence against the accused was the recovery of some chamai alleged by him to have been removed from the house of the deceased and the presence of some blood stains on his cloth.

It was considered by me that if expert opinion could be got to prove that the chamai recovered on the confession of the accused and that found

in the house of the deceased were of the same origin it could be a piece of connecting evidence in the case. The Millet Specialist of the Agricultural College, Coimbatore, was consulted in the matter, and he was of opinion that the two grains were identical not only with regard to the size but also with regard to the age. Though this was a piece of evidence to connect the accused with the crime the legal opinion was that it was too slender to be put up to court. I however disagreed with the legal opinion and ordered the case to be charged on the evidence of the opinion of the Millet Specialist, the recovery of chamai and the extra judicial confession to the private individuals.

The case was tried by the Sessions Judge, Coimbatore, who convicted and sentenced the accused to the extreme penalty of law. The conviction was upheld by the High Court.

Crime Scene Search

Evidence discovered in thorough crime scene searches has frequently been responsible for the solution of a crime. It is important that the search of the crime scene be conducted over a substantial area and not restricted merely to the immediate location of the crime scene.

In one case of burglary on a Government reservation in which a window was broken, glass fragments found several hundred feet away were identified as parts of the broken window. Latent fingerprint examination uncovered 22 latents on these glass fragments. Subsequently, examination at the F.B.I. Identification Division determined that 16 of these latents belonged to 2 persons in a list of 13 possible suspects. It was later revealed this pair had worked together in committing the crime. One of them had broken the window with a stick, removed the broken glass and passed the pieces on to the second individual, who in turn, had tossed the glass fragments into the grass at the rear of the building.

The two subjects were later convicted in Federal Court and were given one year sentences which were suspended, and the two individuals were placed on probation for 2 years.

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SUICIDE IN MADRAS STATE

BY

V. SUNDARAM,

(*Inspector of Police, Special Branch, C.I.D., Madras*)

Today all over the world, suicide is considered not only reprehensible according to the codes of ethics but also a crime in the eyes of law. Human concepts undergo constant changes. The Greeks, the Romans and the Philosophers of the Middle ages held that a man had a right to put an end to his own life under certain circumstances, when he liked. Great thinkers like Sir Thomas More, and Hume in England, Montague, Montesquieu, Voltaire and Rousseau in France and Beccaria in Italy did not consider suicide a heinous offence or an anti-social act while the Vatican and the Feudal States were unequivocal in their condemnation. In several countries, suicides were denied decent burials and their properties were confiscated to Government, till a more tolerant outlook blossomed with the dawn of a more systematic and scientific study of the aetiological and sociological factors concerning suicide.

It is interesting that until the nineteenth century there should have been no attempt to account for the recurrence of this phenomenon, to study its causes and to give it laws. Of discussion of suicide there was in plenty, but usually of an irrelevant sort. The subject was treated from a religious or moral point of view and only the highly debatable question of its "Rightness" or "Wrongness" was taken into consideration.

India, the land of Ahimsa, was once looked upon as the land of 'Sati' though death by violence has always been abhorrent to the Hindu mind. Sati, the custom which compelled the Hindu widow to take her life on the death of her husband, is no longer in vogue. This type of institutional suicide was not peculiar to India alone and seems to have been in

existence in many countries. Among certain Central Africans and Melanesians, the wife was customarily buried alive with her husband. In Japan, such devotional suicides of a semi-ritualistic and institutional nature appear to have existed as late as the beginning of the present century, and these were commonly known as 'Junshi' as contrasted with the present day individual type of 'Harakiri'.

Suicidal impulses are certainly not the outcome of progress and civilization, though social ostracism and economic imbalance, speed of life and psychic pressure in modern society have contributed to a good many suicides.

In Great Britain, it is estimated that annually about 5,000 persons commit suicide and about 30,000 attempt the same. It was this widespread prevalence of this social malaise which made the Archbishop of Canterbury appoint the Church Committee last year to consider the moral and legal issues involved in it. The Committee recommended that attempted suicide should no longer be considered a crime but the aiding, abetting or instigating the suicide of another should be visited with a penalty of life-imprisonment.

In Madras State which can fairly compare in size with Great Britain, there were 3,494 cases of suicides in 1956, 3,530 in 1957, 3,806 in 1958 and 3,333 in 1959. There has been a progressive increase in the incidence of suicides during three of the last 4 years. Suicides are commoner in the rural areas when compared with the urban centres. The incidence of suicides is the highest in Tanjore district, closely followed by Salem and Coimbatore

districts. A very high percentage of suicides is noticeable only in the age group between 14 and 35 and mostly among women. Juvenile suicide in this State forms only 5.8%

The causes of suicide among juveniles range from severe parental discipline to excessive indulgence or utter neglect. Youngsters do not come so much under the influence of powerful emotion which gives rise to suicidal impulses in the prime of youth. The incidence of suicide among grown-ups is the highest among in the working classes, such as agricultural labourers, mill-hands and unskilled workers whose income does not usually exceed a hundred rupees a month.

Among the motives and causes of suicides, the lack of social security occasioned by neglect, harassment and even ill-treatment loom large. It is also seen that a number of suicides result from influences tending to disrupt a harmonious, well-ordered family life. Inter-caste marriages giving rise to ostracism, the irresistible impulse to escape social disgrace and ignominy are some of the major causes of suicide in Madras State though altruistic suicides are not uncommon.

Suicides in this State classified according to means and methods give the highest figures for hanging. Drowning comes next. And poisoning, cutting by lethal weapons, burning and electrocution in the order in which are stated. When the sexes are considered separately, it is found that the same order holds good for men though the percentage of suicides by hanging is very high while drowning seems to have a fascination for women. Poisoning

which comes third in the order, is also a favourite with women. The other methods such as cutting with lethal weapons, burning and electrocution are few and far between and are resorted to very sparingly.

The French Sociologists Tarde, Durkheim and Halbwachs have made immense contributions to the study of suicide as a sociological phenomenon. Emile Durkheim has rightly repudiated the influence of extra-social factors such as heredity, climate and "Waves of imitation" in suicide. His main thesis is that suicide frequency varies in inverse proportion to the integration of the individual with his society. In other words, suicide frequency increases proportionately as the integration decreases. This social integration is the degree of affinity of a person with other people in society, be it the unit of a family, a religious group or a political body.

The data collected from the districts in connection with the study of suicides show this lack of social integration manifesting itself in family disputes, disappointment in love affairs, failure in examinations, domestic troubles, unsuccessful career in life, poverty, economic stress, sickness and insanity. Suicides are the highest in the villages and therefore intensive welfare work, improvement in the general economic conditions of the poor, and better health and medical facilities will bring down the number of suicides. Intensive propaganda by religious institutions and social agencies coupled with a ban on books and films and plays depicting suicides will go a long way in reducing the incidence of suicides in our land.

EXPERT TESTIMONY IN COURT GOVERNED BY MANY FACTORS

*(From the F.B.I. Law Enforcement Bulletin, 1960 April, Vol. 29, No. 4,
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Expert scientific testimony is opinion evidence given by a person who is especially qualified concerning technical or scientific matters. An expert witness is usually considered qualified to testify if he possesses special experience and knowledge relating to a particular field.

There is no fixed specification to determine whether a witness is considered qualified. Whether his qualification are sufficient to state an opinion is a question to be decided by the court on the basis of his preliminary testimony. The determination of the witness's qualification to state his opinion lies in the discretion of the court. For an expert to have the highest degree of qualification, he must possess sufficient experience and knowledge and must show that he has had training under qualified and competent instructors. His ability is also measured by the amount and nature of his experiments in his particular field.

Bases of Qualification :

The competence of a witness to render a reliable opinion is largely dependent upon his qualifications. Many witnesses will state as a part of their qualifications the possession of diplomas in a special field or membership in certain scientific societies. Neither of these considered alone may be a sufficient basis to prove ability in a particular field. It is well known that membership in certain societies is obtained by application and payment of entrance fees and dues. Such may be only a perfunctory membership. In the absence of a showing of courses and study pertaining to a special field of knowledge or science, the possession of a diploma in itself may not be a sufficient basis for a particular qualification.

Mere experience alone may not be sufficient to show adequate knowledge unless the majority of the witness's time is devoted to the particular work. In the absence of an opportunity to check the accuracy of his results, experience by the witness may largely be a repetition of his own errors. In order for experiments to be of value in the qualification of an expert, the expert must have had an opportunity to study many materials of different natures.

Many expert witnesses recite the names of different books which they have perused in their special field. The study of the books is helpful in permitting the witness to acquire a knowledge of the views of authors in his field but, considered alone in the absence of experience and training, it is unlikely that this would be a sufficient basis for qualification as an expert witness. Witnesses frequently mention having written books or pamphlets pertaining to their subject as a basis for their qualification as an expert. This alone is not a satisfactory standard as one may write a book or article and still possess only a partial knowledge of the subject.

Value of testimony :

While it is within the discretion of the court to determine whether the expert witness may present testimony, the weight or credibility to be assigned to such testimony is determined by the jury or other triers of the facts. The mere expression of an opinion by an expert scientific witness, without sufficient reasons for supporting his conclusions, is not likely to be acceptable. A competent expert is ready and anxious to show the court and jury the basis for his conclusions. This is often

done with the aid of photographic enlargements. Many times the points brought out by the use of the enlargements are so compelling that the jury and court will readily observe that the conclusions of the expert are valid. Even in a highly scientific and technical field, the enlargements will permit the jury and court to have a better understanding of the reasons for the conclusions arrived at by the expert.

The most important aspect of expert scientific testimony is the integrity or honesty of the witness. Skillful cross-examination may elicit information, in some instances, which will show that the witness has a pecuniary interest in providing testimony. Such interest may affect the credibility of his testimony.

Where expert scientific witnesses are employed by law enforcement agencies, the opposing counsel sometimes raises the implication that since the witness is a prosecution witness he may be biased or prejudiced against the defendant. Any such implication of prejudice can readily be shown as unfounded. The records of many law enforcement agencies will show cases where scientific findings have exonerated suspects who, in the absence of other evidence, might conceivably have been wrongfully brought to trial.

Presentation of testimony :

At any trial in which an expert scientific witness is called, his presence may well be the crucial part of the trial. It is important to the proper presentation of the technical testimony that the expert be afforded sufficient time for a pretrial conference with the attorney handling the case. In many instances, the attorney may have little experience with technical testimony and this conference will enable the attorney to become familiar with the particular points which the expert desires to present and which may be peculiar to the particular case at hand. This will permit the attorney to learn the limitations of the testimony to be given and will better permit him to avoid any surprises during the trial.

Through the proper correlation of expert scientific testimony, together with the testimony of other witnesses, the jury will be afforded the best possible evidence on which to base a verdict. Without such proper correlation, the facts may not be properly presented.

The paramount interest of any competent, reliable, and honest expert scientific witness is that he has properly presented true and accurate observations to the court and jury and has no personal interest in the outcome of the trial.

GETTING ALONG WITH YOUR BOSS

BY

EDWARD HODNETT

Condensed from: "The art of working with people"

Reproduced from: "The Catholic Digest" Feb. 1960.

The first step is to recognize that he is human.

Working with the boss is something most of us have to do. Dealing with authority in any form is a serious problem for many persons. The supervisor, president, tax collector, or policeman becomes a father, censor, or some other psychological symbol. So it is with the boss. We are likely to transfer our own frustrations to him. Or again, we may credit him with wand-waving powers possessed only by one of Cinderella's relatives.

To get along with your boss try to understand him neither as an ogre nor demigod, but as a human being. You are dealing with two persons. He is the person his upbringing has fashioned, and he is his job. No matter what kind of person he is, he is also a bundle of responses to the requirements of his position. Within certain areas and at certain times he responds as a private individual. The rest of the time he is concerned only with the good of his organization.

Your first responsibility toward your boss is to understand HIS responsibilities. To regard him, favourably or otherwise, in his private aspect alone is to confuse matters. Neither you nor he can divest yourselves of your personalities, but you can easily make the mistake of seeing only one side of him.

By reason of his position, an executive has a greater knowledge of the relation of a problem to the whole organization than you have. His frame of reference is nothing less than the organization itself. Your solution to a certain problem may be as good as you think it is,

but the right answer, from the point of view of the organization, may be otherwise.

McCurdy proposes to the head of his company that he buy a farmhouse with lake and woodland and make it into an employees' recreation center. The price is low, the place is attractive. McCurdy is certain the employees will contribute time and labour to make it usable. He is enthusiastic about improving company—employee relations and morale by this move.

Wiley, the headman, agrees that the plan has much merit, but he points out that the company cannot do anything about it just then. McCurdy goes away thinking Wiley unimaginative. He does not know that Wiley is under pressure from his board of directors to reduce the salary budget. Wiley realizes that until this problem is settled, McCurdy's proposal would be misconstrued by the employees.

The boss must always be concerned about the equilibrium of the organization. He sees your problem and your solution as a master mariner might look on a load of cargo. Can his vessel carry the burden? An addition to the staff, the purchase of a new machine, a change in procedure—any proposal, desirable in itself, might throw the company out of trim. And the head of an organization, like the skipper of a ship, always has in the back of his mind that his first duty is to keep the organization afloat.

Part of your job, as a loyal and effective member of the organization, is to appreciate this central duty of the boss. Part of what

you are being paid for is to increase his effectiveness.

You can work with your boss creatively in many ways. Without saying so, you can show him that it is as much a part of your job to cooperate with him as to do anything else you are hired to do. In so doing, you do not surrender your self-respect. Every job has a creative side. Elevator operators, janitors, cafeteria workers, and others who deal with employees and with the public can contribute much to the morale of an entire organization by mere cheerfulness, courtesy, and good service. A bus driver in Cleveland keeps his passengers cheerful by delivering a sightseeing spiel as he covers his route. He is supporting his boss by contributing something special to the success of the company.

One of the best ways to help your boss is to save his time. Before you take up that problem with him, try not to. If you do not, you may have donated 30 minutes to him, thus helping him to accomplish his day's work. If you must go to him, let him know quickly what the dimensions of the problem are.

Boil the problem down. (If it takes you a long time to summarize it, you probably do not understand it.) Try to avoid just dumping the problem in your boss' lap and making him start from scratch in figuring out a solution.

Just getting up statistics for a conference with the boss is not enough: a shopping list is not a square meal. If you are not able to answer simple questions, he may put his faith in somebody else.

If you must go to the boss for a decision, make it easy for him to decide. If you know he will want the opinion of a certain other person, consult that person yourself first, if it is proper. The boss is presumably busier than you are and less interested in your problem than you are. You can save time by having your problem so tidied up that he can make a decision when you see him.

Be sure your analysis of the situation includes not only alternatives but also the consequences of your plan. And remember, unsupported opinions are worthless. As someone once said, "You have no more right to an opinion you cannot defend than to a pint of beer you cannot pay for." But if you have a preference among several solutions of a problem, express it. Your clear-cut defense of your idea will sharpen the boss' thinking. Your duty is to try to help him find the best answer. If he does not take your suggestion, and guesses wrong, he is not going to forget that you were right.

Before you discuss problems with your boss, be sure that you know your job. Know where things are. Know what's going on. If you are in charge of other workers, know something about them. If the boss asks about one of your subordinates, be able to give him a thumbnail biography.

Always have at the tip of your tongue the most significant figures connected with your work. If figures confuse you, you have all the more reason for memorizing the key ones. Have in typewritten form an understandable summary of the current figures about your activities. Take it along to every important conference with the boss. It always makes a good impression if you can produce the answers to factual questions instantly. Whatever happens, you will be reassured if you know you are ready.

Try to make it easy for your boss to say Yes. Apart from the merit of a proposal, can you think of any concession that you might legitimately make? It will be better for you to suggest giving up something than to wait for the suggestion. If, for instance, you are asking for new equipment, try to get a good offer for the old equipment before you make your request.

Every leader uses some of his talents in trying to get his associates to use theirs. Abraham Lincoln used to prepare military plans for his generals to consider, always with

the thought that they would stand up to him. He would feel uneasy if the military men took the suggestions of the commander-in-chief as orders or adopted them without debate. Your boss' ideas deserve courteous consideration; so do your own. You are letting him down, however, when you treat his ideals with subservience. His suggestions are often meant merely to start the ball rolling. When your habitual reaction is agreement, he feels more frustrated than complimented.

Reluctance to take on difficult assignments and scrupulous insistence on your rights are not ways of proving to the boss that you are eager to help him. Anyone who is fearful that he may fail an assignment or that someone is putting something over on him is too insecure to carry much responsibility.

Here are 11 good ways to deal with a boss.

(1) Never tell the boss that everything is all right when you do not know whether it is or not. If you do not know the answer to his questions, say so, but add that you will find out at once. Then do so.

(2) Give the boss warning when a serious problem is shaping up.

(3) Get his approval in advance for any unusual action. That's always easier than trying to square yourself with him later on.

(4) When the boss presents a proposal to you and you honestly agree with him, say something like, "Your plan is a good one. I'll do my best to carry it out." Do not say, "Well, that's what you want me to do, then?"

(5) In presenting a problem to your boss, play down its negative aspects. Omit the faults of the other fellow. Above all, do not remind the boss of the obvious: how little time you have, how shorthanded you are, how much more money you should have. Let your attitude be one of shared interest: "What can we do?"

(6) When your business is settled, get out.

(7) Do not talk shop with the boss out of hours, particularly at social gatherings.

(8) If you have sent the boss a report that he has not had time to read, wait until he does before asking him about it.

(9) If things are not going well, remember that the boss is worrying about the *total* problem. Buck him up by digging into the problem, by not gossiping, and by being cheerful.

(10) Don't be afraid to applaud a good play by the boss.

(11) Finally, mix a little charity into your dealings with the boss. If he's not always patient, sympathetic, or attentive, do not take it as a personal affront. That just gives him one more problem to straighten out. While you are talking to him about a minor problem, he may be worrying about a major dilemma.

Doctors say that the most common complaint among executives is nervous fatigue. Your boss's tired feeling comes not so much from worry as from unrelenting concentration. He moves from one problem to another. They are serious problems, carrying serious consequences if they are not resolved. They call for a high degree of creative thought. They all have iron deadlines. No matter what tricks the boss uses to relax, he cannot dodge unsolved problems. The pressures on him may vary, but they are always there.

Your best way of improving your ability to work with your boss is to improve yourself. First, try to see the big picture of your organization (the boss's-eye view of it). Keep your eyes and ears open. Get your colleagues to talk about their work. Listen. Read. Thus you can develop your understanding of all the areas and of most of the problems that concern your boss. Second, give some part of every day to continuing your education. If you have reason to know something about accounting or law or typography, take a course. The best way for you to prepare yourself to work with your boss is to keep on growing.

MENTAL TESTING IN CHILDHOOD

BY

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One of the items in the most widely used intelligence test of the present day refers to a proverb which runs: "Large oaks from little acorns grow." In 1905 an acorn, the germ of this intelligence test, was planted in France by Binet and Simon for the detection and demarcation of feeble-mindedness. During fifty years or so it has grown into a tree which spreads its branches over the whole civilized world. Among the vast number of tests in use to-day the Binet test, as it is popularly called, is a nuclear test embodying basic principles of mental measurement in children. It has been through several revisions in English, the latest being that of Terman and Merrill in 1937. This has two equivalent forms L and M, each containing 129 items. Form L is the one most used, and Form M is designed for re-testing children after a short interval.

This test has been translated into many languages. In its present form it ranges in difficulty from items which the average child of two can just about cope with, to those which only the "superior adult" can do. For the early years the test material consists of toys, pictures, bricks, beads, etc., though the ability to understand language is involved almost from the beginning. Later, the items take on more of the question and answer character, and call of the exercise of reading, general knowledge, reasoning, judgment, memory, vocabulary.

This type of test, one of many different types, is called an age-scale because it is divided into sections for each year of age. Success in a single item earns from one to six months of "mental age" according to its position in the scale, *i.e.*, one month from year two to year five when mental growth is rapid and when a few months of mental age represent a big step

for a small child, to six months after year fifteen when the superior adult has to be assessed. (In present practice the test is hardly ever used for adults.) The sum of the successes is the child's "mental age". A further calculation will give the child an "I.Q." or intelligence quotient, which is an index of brightness and also a guide to the rate of mental growth. The formula of the I.Q. is

$$\frac{\text{Mental Age}}{\text{Actual Age}} \times 100$$

Thus, if a child of ten has a mental age of six, his I.Q. is sixty, and he would be regarded as mentally defective. Had his mental age been fifteen his I.Q. would be 150, and he would be regarded as of superior intelligence.

Recently a new type of test for children, based upon a highly successful scale for adults, has been published, the "Wechsler Intelligence Scale for Children" (1951). The items are not in age groups but in sections according to subject-matter. There are five "verbal" tests, and five "performance" tests, and separate I.Q.'s are available for each main division as well as for the full scale. Scoring allows for grades of answer, which is an improvement on the success—or—failure marking. The scores reflect, broadly, the theoretical—practical bias in a child, and, in addition, the ten sectional scores are converted into a common notation which allows comparisons to be made between the sections. In graphic form this constitutes a "profile" of abilities which shows at a glance the general pattern. In method and scoring this test is quite different from the Terman-Merrill test, but it does not replace it. Each has its special value and each its adherents. It is an advantage to have both on hand in the clinic.

Mention has been made of "performance" tests. Early tests of intelligence favoured the academically-minded child, and various manipulative tests and scales were later introduced to offset this bias. To arrive at an all-round assessment of a child it was considered desirable to use both types of test. For example, children are known who were subnormal on the verbal type of test, but who came out well above the average on pictorial-manipulative tests, such as fitting missing pieces into pictures, tracing mazes on paper, copying a series of designs with coloured bricks, fitting wooden shapes into correct insets, and similar tasks.

Two interesting developments in the "psycho-motor" sphere are the "Osersky Tests of Motor Proficiency" (1946) and the "Van der Lugt Psychomotor Test Series" (1949). Both depart from tradition.

The Osersky tests are grouped into an age-scale as is the Binet type of test, and there are tasks for both boys and girls throughout the age range from four to sixteen. At the lower end of the scale the child may be asked to clasp the examiner's hand or to raise his eyebrows without undue superfluous muscle movement, whilst at the upper end the child may be required to carry out rather complicated tasks involving balance and co-ordination of the whole body. In essence it is a scale of agility and dexterity which a psychiatrist or psychologist might regard as outside the scope and requirement of a child guidance clinic, though it may have interesting research possibilities.

The Van der Lugt scale makes use of hands and fingers mostly and is done by the child while sitting. It is divided into a series of tasks and norms are available for each, on a sample of children between the ages of six and thirteen plus. There are exercises for both hands simultaneously, or for the preferred hand only, involving pressure, balance, co-ordination, speed and accuracy. It does not call for the amount of brainwork which is involved in some of the earlier "performance" tests, but it does indicate whether or not a child is "good with his hands".

Intelligence may, for convenience, be divided into theoretical, practical, and social. Tests for the first two have been mentioned. The last named is the most difficult to assess by objective methods, but some attempts have been made, notably in the "Vineland Social Maturity Scale" (1935). This scale lists a large number of things which are characteristically performed by children of different ages, such as shopping alone, using the telephone, and many others. For much of the information the examiner is dependent upon someone who knows the child well and who can give an unbiased report. The total assessment is in the form of a "social age," and, of course, the list can be scanned for more detailed information on the child's social *aplomb*. The scale is probably more influenced by the child's cultural milieu than any of the tests so far mentioned, and certain items would have to be left out for children living in most countries other than the United States.

At this juncture it should be mentioned that the I.Q. or any other numerical measure of a child's abilities is not to be regarded with the same confidence as, say, a measure of his height or weight. It tends to vary within limits, like a galvanometer reading. The test result is a complex affair, affected by many things. It is affected, for instance, by the child's upbringing and education, his temperament, and his condition at the time of testing. The attitudes and abilities of the examiner come in as well. Also, a test only samples a child's abilities, and he may well achieve a different result on another test.

Generally speaking, if all conditions are satisfactory, the I.Q. tends to remain fairly constant through life, *i.e.*, the child tends to maintain his position relative to his fellows. A good test, therefore, reliably done, may yield a useful prediction of future prowess.

Emotional interference with test results can be detected by the examiner, not only by observing the child's behaviour in a standard situation, but also from the pattern of successes and failures and other signs in the test record.

A child's I.Q. will locate him in one of the following categories :—

	I.Q.
Very superior	... 131 +
Superior	... 121 — 130
Above average	... 111 — 120
Average	... 91 — 110
Below average	... 81 — 90
Borderline defective	... 71 — 80
Mentally defective	... 70 or below

The intelligence test was the earliest type to be used in clinics, and is still the basic test. There are many others, however. A modern year book of mental tests lists some thousands of them (Buros 1948). They fall into one or two main divisions, such as the scholastic tests in practically all subjects, covering the whole period of schooling: aptitude tests for use in vocational guidance (finding a suitable job for the person), and in personal selection (finding suitable people for the job); personality tests, and a great many tests of more specific functions such as memory, attention, imagination, reasoning, persistence, suggestibility, honesty. Many of these tests emanate from research sources. Research in psychopathology includes the design and application of tests to different diagnostic groups to see if differential patterns emerge.

The newest, and perhaps the most interesting, of the above fields of work is that of "personality" assessment. All sorts of techniques have been proposed for this difficult task. There are the self-assessment tests such as the questionnaire, which the subject fills in himself—obviously suitable only for older children—and other types where the information is obtained indirectly from the test material. Many tests, as mentioned, set out to measure fairly definite traits, whilst some claim to measure more general traits such as neuroticism, temperament or character.

Much work is being done in the field of "projection" tests, in which the subject, by responding to material such as pictures and inkblots, and expressing himself through the medium of story-telling, drawing, or acting,

unwittingly projects his needs, fears and attitudes into the situation. Some of the better known of these tests are the following :

The "inkblot" test, used intermittently at the beginning of the century, but standardized and made into a remarkably useful technique by Hermann Rorschach, a Swiss psychiatrist, in 1911 (Rorschach, 1932), is perhaps the best known. The subject is shown, one by one, ten standardized cards bearing printed facsimiles of original inkblots, and is asked to say what they remind him of. The responses are recorded verbatim, and are marked in accordance with an intricate system which takes some time to master. From this and the actual content of the subject's remarks a personality sketch is derived. This is partly objective, and partly subjective. If the examiner has good insight, and a fair experience with the technique, he can derive valuable information about the child. Subsequent versions allow large numbers to be tested simultaneously, but the information gained is not as full as in the individual test.

Another widely used technique, as old as the last-named but much more recent (1935) as a standardized technique, is the thematic apperception test by Murray (1947). Specially selected and specially drawn pictures are presented to the subject. Most of them present human beings in various groupings or situations, and the subject is asked to weave a story around each picture. Children take readily to this test. Their pictures, of course, are different from those of adults. Again, it is assumed that the child, in his stories, will project his own wishes, anxieties and opinions. The marking of this test is more subjective than that of the inkblot test, and the examiner must be always on the guard against the "personal equation" coming in. A quantitative method of marking has been involved, but it is tedious and of doubtful practical value.

The "world" test (Buhler and Kelly, 1941) offers great possibilities in the clinic. The material consists of a large number of toy objects representing people, animals, and inanimate objects with which the child can build

a farm or a community. What the child does—or fails to do—with the materials is often very revealing about the child and his problems. Since he tends to act out and verbalize his phantasies in this kind of situation, the test is useful during treatment sessions.

Drawings and paintings have been used for many years as sources of information about children, and one very good test—the "draw-a-man" test marked on a scale of points which follows the natural development of a child's drawing from infancy, was used as an intelligence test. Personality pointers have also been derived by Machover (1949) from a child's drawing of a man.

Other personality tests may be mentioned very briefly :

The word-association test, one of the oldest of clinical methods, asks the child to reply with the first word that comes to his mind each time the examiner says a word. The re-actions are usually timed, and any word which disturbs the subject's emotional equilibrium can usually, be picked out without any difficulty by various signs associated with it, such as a long reaction-time, signs of discomfort, an obvious substitute reaction word, and so on.

An interesting variation of this method is the sentence completion test (Rohde, 1947). The subject completes such phrases as "I'll never forget.....", "What puzzles me", "If only I could.....". Record accumulated upto date show some very revealing material can come out of this test.

A fascinating development of recent years is the mental assessment of the pre-school child. For this purpose there are many shorter tests, and a few complete scales which range from a few months of age to six years or so. It is, perhaps, invidious to select from this material, but the following have become firmly established in clinics.

The Merril-Palmer scale (Stutsman, 1931) with a range from eighteen months to six years, is often used instead of the Binet test for these

years. The two together form a useful selection from infancy to late adolescence. The former was specially designed for the pre-school child, and has a great many more items for this period, most of them being pictorial or manipulative. The scale is pleasant to administer and the "toys" are attractive to children.

The Buhler scale (Buhler and Hetzer, 1935) is basically similar to the Merril-Palmer scale but, though published in English, it lacks adequate English norms, the test being originally standardized on Viennese children.

The Gesell scale (Gesell et al., 1940), like the last two, is an age-scale, but it covers a wider range of activities. It is based upon observations of what normal children do in natural situations. The fields of activity covered through infancy are those of "sense perception, posture, prehension, learning, language, and social." These are what might be called the latitudinal aspects. Longitudinally, certain "key" ages were selected as points of reference, i.e., the supine, sitting, locomotor, and pre-kindergarten, and norms for these ages are supplied. The scale is described as "an appraisal of the maturity, of the nervous system with the aid of behaviour norms. The scored record gives a "D.Q." or developmental quotient. Paediatricians are familiar enough with the normal "milestones" of development in children, but with this scale they may assess maturity in much more detail and with much more precision. In their monumental work at Yale, Gesell and his collaborators have studied hundreds of children, both normal and abnormal and have published lists of some of the common developmental anomalies caused by birth injuries, amentia, neurological and sensory defects, toxic illnesses, and other conditions (Gesell and Amatruda, 1947).

In conclusion, something should now be said about the uses of mental tests in child guidance clinics. Apart from schools these clinics are the most consistent users of tests, and in a more intensive way. Most school tests are given to groups of children, but in a clinic this rarely happens ; it is neither feasible

nor desirable. The individual testing, where the child and the psychologist work together, and where the latter is able to change his approach to meet the demands of the situation, can give much more information. In a well-staffed clinic, every child would be tested as a routine.

Many children are referred to the clinic because they are not getting on well at school. In these cases the psychologist will first of all want to know whether or not this is due to subnormal intelligence. He will also wish to check the alleged backwardness by suitable diagnostic tests which throw light on specific weaknesses, particularly in the "three R's."

Delinquent children, referred by the juvenile court or probation officer, will need to be tested to see if their misdemeanours are due to low intelligence or not, and one or more personality tests may be desirable in these cases.

Special clinical tests may be used in cases where cerebral damage is suspected. One research school in America specializes in this

field (Strauss and Lehtinen, 1950), *i.e.*, in the diagnosis and education of brain-injured children.

Testing children individually is an art. Some take to it readily ; others never make a success of it. Perhaps the most difficult task is that of testing the pre-school child. He is not yet used to sitting still in a chair for anything upto an hour and performing tasks at somebody's behest. The tester may have to discard the standard procedure in favour of a method which puts material in the child's way as opportunity occurs, in the hope that enough will be done to allow a reliable report to be made. If the child cannot talk he will be given non-verbal material, and if he is deaf or unable to understand language the test has to be administered by gesture.

Nowadays, mental testing plays an important part in child guidance, and, therefore, in paediatrics. Where the clinic is attached to a children's hospital it can contribute towards a psychosomatic approach to the problems and diseases of children.

KNOW YOUR TRAFFIC LAW

BY

P. J. MANUEL

(Traffic Sergeant, Madurai City)

I. Rule 12 (b), 18 and 5 of the Madras Traffic Rules, 1938 (Turning, Cautioning and Passing on left.)

Rule 12 (b) When turning to the right, draw as near as may be to the centre of the road along which he is travelling and cause the vehicle or animal, as the case may be, to move in such a manner that—

- (i) as far as may be practicable it passes beyond and to the left of a point formed by the intersection of the centre lines of the intersecting roads : and
- (ii) it arrives as near as may be at the left hand side of the road entered.

Rule 18. Any driver of a vehicle signalling his intention to turn shall, before turning, satisfy himself that he can do so without danger to other traffic.

Rule 5. Such person may pass to the left of a vehicle, the driver of which having indicated an intention to turn to the right has drawn to the centre of the road.

Although these rules are considered so important that they are printed in every Driving Licence issued by the Regional Transport Officer, even educated licence holders are often unaware of these rules. Common defects noticed on the roads are (1) Failing to signal well before making the turn, (2) Failing to pull to the centre of the road and thus blocking the traffic behind, (3) Turning as though the signal has established right of way over on-coming traffic and (4) When behind a vehicle turning right either trying to overtake it on the right or stalling behind the vehicle, thus holding up the traffic behind. Passing on the left is clearly permitted by Rule 5.

II. Rule 302 of the Madras Motor Vehicles Rules—(Lights)

No motor vehicle shall show a red light to the front or other than a red light to the rear :

Provided that this provision shall not apply to—

- (i) the internal lighting of the vehicle, or
- (ii) an amber light if displayed by any direction indicator or stop light, or
- (iii) the vehicle conveying His Excellency the Governor of Madras or a vehicle escorting such a vehicle.

If this rule is allowed to be violated without constant check, it will soon become very difficult to know if a vehicle on an open road is coming towards you or going away from you.

Common violations of this rule are :

- (1) Red, amber or multi-coloured, concealed electric lamps in the front grill.
- (2) Red, amber or multi-coloured electrically-lit mascots or bonnets.
- (3) Red or amber coloured electrically-lit traffic lights on the front wings. (Only amber coloured *direction indicators* are permitted).
- (4) Amber coloured fog-lamps in front. (Fog lamps are meant for use only in a fog and obligatory front lamps are two and white. *Vide Rule 296.*)
- (5) Red and green painted front Park lamps. (These should be white with frosted glass. See Rule 303 and 304.)
- (6) Powerful red lights in the cabs of public carriers, seen as a red blaze from the front.

(7) Red or white lights on top of the drivers cap on public carriers (see also Rule 299).

(8) Automatic red, amber and green trafficator lights in the rear of cars exhibiting a green light to the rear while cruising.

(9) Carelessly-allowed-to-burn White Reversing lamps.

(10) Illuminated Rear Route Boards on Stage Carriages. (This is also a violation of Rule 300 which prohibits any light in the rear, $3\frac{1}{2}$ feet above ground level.)

III. Rule 55 of the Madras Motor Vehicles Rules (Registration Plates)

The letters and numerals shall be exhibited as follows, that is to say—

- (i) in the case of a transport vehicle other than a motor cab, both registration marks shall exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below,
- (ii) in all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines as aforesaid or in one horizontal line.

This is another rule, the violation of which is on the increase.

A trained Traffic Officer can elicit a wealth of information by merely watching a line of passing motor vehicles without stopping and checking records. For instance :

(1) The colours on the tax licence exhibited on motor vehicles reveal if the vehicle is a Transport or Non-Transport vehicle and if the tax for the current quarter has been paid.

(2) The shape, size and colours of the Registration plates reveal if a vehicle is a Cab,

a Transport or Non-Transport vehicle and hence, should the vehicle have one or two rear stop lamps.

Common violations of this rule are :

(i) Transport vehicles other than cabs exhibiting both letters and numerals in one horizontal line.

(ii) Transport vehicles—mostly delivery vans—using white letters and numerals on black background.

IV. Rule 54 of the Madras Motor Vehicles Rules. (Registration Plates)

The registration mark shall be in English letters and numerals, and

(i) save in the case of a motor cycle or an invalid carriage, the letters shall be not less than $2\frac{1}{2}$ inches high and $5/8$ th inch thick at any part, the numerals shall not be less than $3\frac{1}{2}$ inches high and $\frac{3}{4}$ inch thick at any part, and there shall be a space between any letter and any numeral and between any letter or any numeral and the edge of the plane surface of not less than $\frac{1}{2}$ inch and a space between any two letters and between any two numerals of not less than $3/8$ th inch.

(ii) in the case of a motor cycle or an invalid carriage, of dimensions not less than two-thirds of those specified in clause (i).

The number of vehicles on the road violating this rule are steadily increasing, defeating the very purpose for which this rule was made, viz., the identification of fast-moving motor vehicles. The letters and numerals are painted so small that they cannot be read 10 yards away, even when parked. The letters and numerals are painted *after* the Registering Authority inspects, registers and allots the number. Hence it is upto the police to check and enforce this rule.

THE FUNCTION OF A FORENSIC LABORATORY

BY

C. R. CUTHBERT

A former Superintendent of the Metropolitan Police Laboratory, London.

Today, a handful of scientists help the criminal investigator in a large number of cases, but the scientific worker can never take the place of a team of hardworking and intelligent police officers who must always form the foundation of the Criminal Investigation Department at Britain's world-famous New Scotland Yard, or indeed of any police force. At no time can science relieve the police of the necessity of making routine inquiries and gathering information—not merely obtaining information from informants, but gleaning a knowledge of criminals, their haunts and associates.

The aims of a forensic science laboratory can be summarised as

- (i) to supply one or more links in a chain of evidence,
- (ii) to strengthen a weak link or links in a chain of evidence,
- (iii) to check the accuracy or otherwise of statements made either by a suspect or by a material witness, and
- (iv) to assist in checking routine enquiries.

Eight Science Laboratories

Though science first came to the aid of New Scotland Yard at about the turn of the century, it was not until 1935 that "the Yard" was to have its own scientific laboratory. This was established at Hendon, on the outskirts of London, in proximity to the Police College, but later the laboratory was taken to New Scotland Yard.

The laboratory is one of eight forensic science laboratories in Britain. The others are in Birmingham, Bristol, Cardiff, Harrogate,

Newcastle-on-Tyne, Nottingham and Preston. Thus it will be seen that the Police Forces of England and Wales are able to obtain laboratory assistance fairly rapidly at any hour of the day or night. The laboratories are staffed by civilians; the professional staff are graduates in chemistry, physics, biology or medicine (pathology and serology). There are technical assistants who are experienced in the study of ballistics and document examination, and each laboratory has on its staff one or more specially-trained police liaison officers.

Death on the road case

Every laboratory is equipped with a medium quartz spectrograph, an instrument used to determine the inorganic properties of material submitted for examination. This is how spectrographic analysis applies to a motoring offence.

In the early hours of the morning the body of a man was found lying in a country road and nearby was the wrecked and tangled mass which had once been his pedal cycle. The dead man was obviously the unfortunate victim of a motoring "hit and run" accident. The pathologist was able to say that death had been caused by a fracture at the base of the skull. An injury to the dead man's cheek showed clearly the honeycomb mark where a car radiator had struck him.

A search of garages was ordered, and an American type of car was found in one garage which showed evidence of recent collision on the nearside wing, and the radiator had a large dent. It was obvious that the car had recently been washed and the garage hand was able to

say that the damage had occurred within the previous 24 hours, as the car showed no sign of damage during his previous tour of duty. The owner of the car was asked to account for the damage. He said he had been to London and had parked his car in St. James's Square where, on his return, he found it damaged, presumably by another car. He further said that on his return home he had washed the car as it was very muddy.

Sample of paint

A thorough examination of the car failed to show any traces of blood, fibres or human hair, although the honeycomb pattern of the car radiator was of the same design as the radiator which caused the injury to the dead man's cheek. There was also no evidence to suggest this car had been in the locality of the accident at the time of the accident.

A minute examination was therefore first made of the damaged bicycle, and a small area of greyish paint was scraped from it and subjected to spectrographic analysis. A sample of the paint from the suspect car was then similarly examined. The resultant spectrograms were in agreement, and thus one link in the chain of evidence was forged.

On removing the grey paint from the cycle, a fragment of greyish paint about five by seven millimetres in size was successfully detached in one piece. It was embedded in paraffin wax to allow a microscopic examination to be made of the paintlayers which revealed that the fragment, in fact, was composed of five layers of paint. A sample of paint from the car also showed five layers, both samples agreeing in every detail.

Impression of tweed fabric

The actual dent in the nearside wing of the car was next examined, and by passing a beam of light obliquely across the damaged area, an

impression of tweed fabric could be clearly seen. The dead man weighed 146 lb. and at the time of death was wearing a herring-bone tweed overcoat. His coat was therefore placed about a large sack weighed with 146 lb. of wet sand. This was fixed to a type of gibbet and the suspect car was driven in such a way that the offside wing hit the coat. An almost identical dent was made, but, what was more important, when examined under oblique illumination the tweed pattern could again be seen. Photographs of both dents were taken with oblique illumination and the resultant negatives were enlarged and the prints matched. The tweed impressions showed perfect agreement, thus proving beyond any dispute that this car was the vehicle involved.

X-ray diffraction unit

The use of X-ray diffraction in the work of crime investigation is also within the field of the physicist's work.

X-ray diffraction is a relatively new instrument in the field of scientific crime detection, but it has already proved itself of estimable value. One of its great advantages over other methods of analysis is that no part of the sample is destroyed during test and, as so often happens in police inquiries, the size of the sample is very small and is required for court presentation.

The apparatus has already been used in identifying various barbituric acid derivatives and alkylcids, as well as some of the synthetic narcotic drugs. Thus the physicist is fast encroaching into the field of toxicology. Until recently this particular class of investigation has been exclusively the work of the chemist. Today the investigation of poisoning by barbiturates is becoming the work of the physicist. Traces of these drugs are identified by ultra-violet absorption spectrophotometry, by checking melting points, identification of crystal structure, and by X-ray diffraction.

LEGAL CAUSERIE

I

Cr. App. Nos. 81 to 83 of 1959—July 29, 1959

EXTRACT FROM PAGE 129 OF 1960 MADRAS WEEKLY NOTES (CRIMINAL) OBSERVATIONS MADE BY SOMASUNDARAM AND RAMASWAMI, JJ.

Kamaraj Goundar and others

vs.

The State

Held the evidence of identification cannot be safely made the basis for resting the conviction.

As regards the actual conduct of identification proceedings, the following hints or precautions should be noted or observed : (1) Selection for parade of only non-suspects of the same religion. (2) Securing of privacy from view at parade. (3) Exclusion of everyone, especially the police from the proceedings. (4) Seclusion till the completion of the proceedings of each witness finished with from others whose evidence has to be taken yet. This precaution should exclude possibility of pre-arranged signals like touching the ear, or cough, etc., when the identifying witness reaches the culprit in the parade. The value of the identification parade is very much depreciated

as regards sub-jails where cells are directly visible to the public. Secondly, the police guard may not often be privy to surreptitious identification beforehand of suspects by the witnesses. Thirdly, suspects when being exercised or taken to the latrine or kitchen run the risk of being pointed out beforehand to the identifying witnesses. In such cases a searching examination of the identifying witnesses as regards the time of their arrival, the place where they stayed, their visits to the police, etc., may prove useful. (5) Changing the place or places of persons to be identified at discretion before arrival of each witness. (6) Definite information is required in cases where witness admits prior acquaintance or meeting with any subject he identifies. (7) Recording any well-founded objection by any suspect to any point in the proceedings.

II

Cr. App. No. 141 of 1958—February 3, 1959

EXTRACT FROM PAGE 45 OF THE MADRAS WEEKLY NOTES (CRIMINAL) 1960—OBSERVATIONS MADE BY P. B. GAJENDRAGADGAR, A. K. SARKAR AND K. SUBBA RAO, JJ.

The State of Madhya Pradesh

vs.

Mubarak Ali

Investigation starts after the police officer receives information in regard to an offence. Under the Code of Criminal Procedure investigation consists generally of the following steps— (i) proceeding to the spot ; (ii) ascertainment

of the facts and circumstances of the case ; (iii) discovery and arrest of the suspected offender ; (iv) collection of evidence relating to the commission of the offence which may consist of (a) the examination of various persons

including the accused and the reduction of their statements into writing if the officer thinks fit ; (b) the search of places of seizure of things considered necessary for the investigation and to be produced at the trial ; and (v) formation

of the opinions as to whether on the material collected there is a case to place the accused before a magistrate for trial and if so taking the necessary steps for the same by the filing of a charge sheet under Section 173.

III

Cr. R.C. No. 1155 and 1156 of 1958—September 24, 1959

EXTRACT FROM PAGE 22 (2) OF THE MADRAS WEEKLY NOTES (CRIMINAL)—OBSERVATIONS MADE BY RAMASWAMY, J.

T. V. Moidu

vs.

The State

Motor Vehicles Act (IV of 1939), Ss. 42 and 123—Vehicle found at a place not on the route—

Not used as a transport vehicle—Offence.

A public transport vehicle had a permit to ply from K to O and the route was via KK. The vehicle was found at S, not on the route on a trip totally unconnected with its use under the permit granted to it. The driver and the

owner were charged for an offence under Section 42 (1) read with Section 123, Motor Vehicles Act and under rule 226 of the Motor Vehicles Rules read with Section 112 of the Motor Vehicles Act.

Held that at the time of the alleged offence the vehicle was not used as a transport vehicle and the provisions of Sections 42 and 123 have not been offended.

IV

Cr. R.C. No. 1022 of 1958—Cr. R.P. No. 979 of 1959—July 31, 1959

EXTRACT FROM PAGE 88 (2) OF 1960 MADRAS WEEKLY NOTES—OBSERVATIONS MADE BY SOMASUNDARAM, J.

Rathinam

vs.

The State

Madras Prohibition Act (X of 1937), Ss. 4 (1) (j) and 41-A—Offence under—Proof—Doctor not authorised—Evidence—Admissible.

Where on an examination of the accused the doctor found that his pupils were dilated reacting to light sluggishly and he was smelling arrack in the breath—symptoms which might be explained on the basis of taking alcohol of the exempted category—and the prosecution did not tender any further evidence to establish

that the symptoms were symptoms which must necessarily arise from the consumption of prohibited alcohol, the guilt of the accused is not established beyond all reasonable doubt and he is entitled to acquittal.

Although under Section 41-A, Prohibition Act the police shall take the accused to a doctor who is authorised still the evidence given by the doctor who is not authorised is not inadmissible.

V

Cr. R.C. Nos. 431, 432, 436, 500 and 546 of 1959 (Cr. R.P. Nos. 413, 414, 448, 480 and 526 of 1959—December 14, 1959.

EXTRACT FROM THE 1960 MADRAS WEEKLY NOTES, PAGE 77—OBSERVATIONS MADE BY RAMASWAMI AND ANANTANARAYANAN, JJ.

Dandapani Nadar

vs.

The State

Cr. P. C. (V of 1898) S. 173—Prohibition Act (X of 1937) S. 48—Report of Police Officer—Cr.P.C., S. 251-A—Procedure under—Right of accused.

The report of a police officer investigating a prohibition offence will fall not under Section 48, Prohibition Act but under Section 173 Cr.P.C.

A police officer investigating into a prohibition offence does so under the provisions of the Criminal Procedure Code supplemented by the special provisions of the Prohibition Act.

The word "complaint" in Section 48, Prohibition Act is wider and should be construed in a general sense and the restricted definition given in the Criminal Procedure Code should

not be made applicable. The word "complaint" in Section 48, Prohibition Act includes a report by a Police Officer also.

The procedure under Section 251-A confers two inestimable advantages to the accused, *viz.*, his being put in possession of all documents giving him a complete picture of the case against him before he embarks upon the task of meeting it and, secondly, his having to be acquitted if the prosecution is unable to prove the case against him and which once again means that unlike a discharge it cannot be comparatively easily interfered with because an appeal against an acquittal is only to the High Court and it is only for substantial and compelling reasons.

The accused has no vested right in any course of procedure.

VI

Cr. R.C. No. 740 of 1959 (Cr. R.P. No. 721 of 1959)—February 17, 1960.

EXTRACT FROM PAGE 125 OF 1960 MADRAS WEEKLY NOTES (CRIMINAL)—OBSERVATIONS MADE BY RAMASWAMY, J.

Wahib Basha

vs.

The State

Evidence Act (I of 1872), S. 114, 111 (a)—Possession of incriminating articles—Presumption.

Where incriminating articles are recovered from a place in the occupation of more persons than one and it is not possible to fix the liability on any particular individual a court is not bound to hold that the articles were in the

possession or under the control of the head of the family.

In the case of a family living jointly in the same house the head of the family is presumed to be in possession of any illicit article found in the house. The presumption is rebuttable and the weight attached to it varies according to the circumstances of the case.

Crime for the quarter ending 31-12-1959 in Madras State